TREATY

OF

PEACE and FRIENDSHIP

BETWEEN

The moſt Serene and moſt Potent Princeſs *ANNE*, by the Grace of God, Queen of *Great Britain*, *France*, and *Ireland*, Defender of the Faith, *&c.* and the moſt Serene and moſt Potent Prince *PHILIP* the Vth, the Catholick King of *Spain*, Concluded at *Utretch* the 13 Day of *July*, 1713.

By Her Majeſties Special Command.

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ANNE, by the Grace of God, Queen of *Great-Britain*, *France*, and *Ireland*, Defender of the Faith *&c.* To all and ſingular to whom theſe Preſents ſhall come, Greeting. Whereas a certain Treaty of Peace and Friendſhip, between Us and Our Good Brother *Philip* the Vth Catholick King of *Spain*, was Concluded and Signed at *Utretch* the $_{13}^{2}$ Day of this preſent Month, by Our Ambaſſadors Extraordinary and Plenipotentiaries, who were provided on each Part with ſufficient Authority, in the Form and Words following:

WHereas is has pleaſed the Supreme Ruler of all things, after a moſt grievous War, which for ſo many Years has laid deſolate almoſt the whole Chriſtian World with Blood and Slaughter, of his Divine Clemency to diſpoſe the Minds of the Princes engaged in the Diſpute to the thoughts of Peace and Concord, after they had been ſo long enflamed with the Rage and Fury of Arms: And whereas the moſt Serene and moſt Mighty Lady Anne, *by the Grace of God, Queen of* Great Britain, France, *and* Ireland, *&c. and the moſt Serene and moſt Mighty Prince* Philip *the* Vth, *by the Grace of God Catholick King of* Spain, *&c. wiſh for nothing more heartily, and endeavour nothing more earneſtly, than that the ancient Bonds of Alliance and Friendſhip between the* Britiſh *and* Spaniſh *Nations, ſhould not only be renewed, but alſo more ſtrongly knit together, by freſh Engagements of Amity and Intereſt on both ſides, and tranſmitted indiſſoluble to all Poſterity; in order at laſt to finiſh happily ſo wholeſom and ſo very deſirable a Work, they have nominated on each ſide their Ambaſſadors Extraordinary and Plenipotentiaries, and have inſtructed them with ſufficient Orders; that is to ſay, the Queen of* Great Britain *on Her part, The Right Reverend* John, *by Divine Permiſſion, Biſhop of* Briſtol, *Keeper of the Privy-Seal of* England, *Privy Councellor to Her Royal Majeſty, Dean of* Windſor, *and Regiſter of the moſt Noble Order of the Garter; and the moſt Noble, moſt Illuſtrious, and moſt Excellent Lord* Thomas *Earl of* Strafford, *Viſcount* Wentworth *of* Wentworth-Wood-houſe, *and of* Staineborough, *Baron of* Raby, *Privy Councellor to Her Royal Majeſty, Her Ambaſſador Extraordinary and Plenipotentiary to the High and Mighty Lords the States-General of the* United Provinces, *Colonel of Her Majeſties Royal Regiment of Dragoons, Lieutanant General of Her Majeſties Armies, Firſt Commiſſioner of the Admiralty of* Great-Britain *and* Ireland, *and*

Knight of the moſt Noble Order of the Garter. And the Catholick King on his part, the moſt Illuſtrious and moſt Excellent Lord Francis Maria de Paula, Tellez *and* Giron, *Duke of* Oſſuna, *Count of* Urvegna, *Marquis of* Pennafiel, *Grandee of* Spain *of the Firſt Claſs, High Chamberlain of the King, Great Notary of the Kingdoms of* Caſtile, *one of the Commanders, and Grand Clavero of the Order of* Callatrava, *and likewiſe Commander of the Order of St.* Jago, *one of the Grandees of the Chamber to the Catholick King* Philip *the Fifth, General Commander in His Armies, and Captain of the Firſt Troop of His Majeſties Life Guards; and the moſt Illuſtrious and moſt Excellent Lord* Iſidore Cazado de Azevedo de Roſalez, *Marquis of* Monteleone, *Viſcount of* Alcazar Real, *Councellor of His Catholick Majeſty in the Supreme Council, one of the Honourable Chamberlains of the King: Which Embaſſadors Extraordinary and Plenipotentiaries have conſented and agreed to the following Conditions of Peace and Friendſhip, to the ſame Effect as thoſe which were made at the Courts of* London *and* Madrid *by Miniſters on each ſide.*

I.

THat there be a Chriſtian Univerſal Peace, and a perpetual and true Friendſhip between the moſt Serene and moſt Mighty Princeſs *Anne*, Queen of *Great-Britain*, and the moſt Serene and moſt Mighty Prince *Philip*, the 5th, Catholick King of *Spain*, and their Heirs and Succeſſors, and alſo the Kingdoms, States, Dominions, and Provinces of both Parties, whereſoever ſituated, and their Subjects; and that the ſame be ſo ſincerely preſerved and cultivated, that neither Party do, under any Colour whatever, endeavour to attempt any thing to the Deſtruction or Detriment of the other, or yield any Aid, by what Name ſoever it be called, to thoſe who attempt the ſame, or who endeavour to do any Damage, neither may or ought they to help them by any means. On the contrary, Their Royal Majeſties ſhall be obliged the one to promote the Advantage, Honour, and Intereſt of the other, and to direct their Councils to that end with all Care, that by mutual Proof of Friendſhip, the Peace which is now made, may daily receive new Additions of Strength.

II.

But whereas the War which is ſo happily ended by this Peace, was at the Beginning undertaken, and was carried on for

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ſo many Years with the utmoſt Force, at immenſe Charge, and with almoſt infinite Slaughter, becauſe of the great Danger which threatned the Liberty and Safety of all *Europe*, from the too cloſe Conjunction of the Kingdoms of *Spain* and *France*. And whereas to take away all Uneaſineſs and Suſpicion, concerning ſuch Conjunction, out of the Minds of People, and to ſettle and eſtabliſh the Peace and Tranquility of Chriſtendom by an equal Balance of Power (which is the beſt and moſt ſolid Foundation of a mutual Friendſhip, and of a Concord which will be laſting on all ſides) as well the Catholick King as the moſt Chriſtian King have conſented, that Care ſhould be taken by ſufficient Precautions, that the Kingdoms of *Spain* and *France* ſhould never come and be united under the ſame Dominion, and that one and the ſame Perſon ſhould never become King of both Kingdoms. And to this end His Catholick Majeſty has for Himſelf, His Heirs, and Succeſſors, moſt ſolemnly Renounced all manner of Right, Title, and Pretenſion to the Crown of *France*, in the Form and Words following:

The KING.

Whereas on the 5th of November *in this preſent Year* 1712. *before* Don Manuel *of* Vadillo *and* Velaſco, *my Secretary of State, and Chief Notary of the Kingdoms of* Caſtille, *and* Leon, *and Witneſſes, I delivered, ſwore to, and ſigned a Publick Inſtrument of the Tenor following, which is Word for Word, as here enſues.*

DON *Philip*, by the Grace of God, King of *Caſtille*, *Leon*, *Aragon*, the two *Sicilies*, *Jeruſalem*, *Navarr*, *Granada*, *Toledo*, *Valentia*, *Galicia*, *Majorca*, *Seville*, *Sardinia*, *Corduba*, *Corſica*, *Murcia*, *Jaen*, the *Algarves*, *Algezira*, *Gibraltar*, the *Canary Iſlands*, the *Eaſt* and *Weſt Indies*, the *Iſlands* and *Terra firma* of the Ocean, Archduke of *Auſtria*, Duke of *Burgundy*, *Brabant*, and *Milan*, Count of *Habſpurg*, *Flanders*, *Tirol*, and *Barcelona*, Lord of *Biſcay* and *Molina*, &c. By the Account and Information of this Inſtrument and Writing of Renunciation and Relinquiſhment, and that it may remain for a perpetual Remembrance, I do make known and declare to Kings, Princes, Potentates, Commonwealths, Communities, and particular Perſons, which now are, and ſhall be in future Ages: That it being one of the principal Poſitions of the Treaties of Peace, depending between the Crowns of *Spain*, and of *France*, with that of *England*,

land, for the rendring it firm and laſting, and proceeding to a general one, on the Maxim of ſecuring for ever the univerſal Good and Quiet of *Europe*, by an equal Weight of Power, ſo that many being united in one, the Balance of the Equality deſired, might not turn to the Advantage of one, and the Danger and Hazard of the reſt; It was propoſed, and inſiſted on by *England*, and it was agreed to on my part, and on that of the King my Grandfather, That for avoiding at any time whatever the Union of this Monarchy, with that of *France*, and the poſſibility that it might happen in any caſe, reciprocal Renunciations ſhould be made by me, and for all my Deſcendants, to the poſſibility of ſucceeding to the Monarchy of *France*, and on the part of thoſe Princes, and of all their Race, preſent, and to come, to that of ſuceeding to this Monarchy; by forming a proper Project of Abdication of all Rights which might be claimed by the two Royal Houſes of this, and of that Monarchy, as to their ſucceeding mutually to each other; by ſeparating, by the Legal means of my Renunciation, my Branch from the Royal Stem of *France*, and all the Branches of *France* from the Stem of the Blood-Royal of *Spain*; by taking Care at the ſame time, in purſuance of the Fundamental and Perpetual Maxim of the Balance of Power in *Europe*, which perſuades and juſtifies the avoiding in all caſes imaginable, the Union of the Monarchy of *France* with that of *Spain*, that the Inconvenience ſhould likewiſe be provided againſt, leſt, in default of my iſſue the caſe ſhould happen that this Monarchy ſhould devolve again to the Houſe of *Auſtria*, whoſe Dominions and Dependencies, even without the Union of the Empire, would make it formidable; a Motive which at other times made it juſtifiable to ſeparate the Hereditary Dominions of the Houſe of *Auſtria*, from the body of the *Spaniſh* Monarchy; It being agreed and ſettled to this end by *England* with Me, and with the King my Grandfather, That in failure of Me, and of my Iſſue, the Duke of *Savoy*, and his Sons, and Deſcendants, being Males, born in conſtant lawful Marriage, are to enter upon the Succeſſion of this Monarchy; and in default of his Male-Line, the Prince *Amadeo* of *Carignan*, and his Sons, and Deſcendants, being Males, born in conſtant lawful Marraige; and in default of his Line, Prince *Thomas*, Brother of the Prince of *Carignan*, his Sons, and Deſcendants, being Males, born in conſtant lawful Marriage, who as Deſcendants of the Infanta *Donna Catharina*, Daughter of *Philip* the Second, and being expreſly called, have

a clear and known Right, ſuppoſing the Frendſhip and perpetual Alliance, which the Duke of *Savoy*, and his Deſcendants are to ſollicit and obtain from this Crown; it being to be believed, that by this perpetual and never-ceaſing Hope, the Needle of the Balance may remain invariable, and all the Powers, wearied with the Toil and Uncertainty of Battles, may be amicably kept in an equal Poiſe; it not remaining in the Diſpoſal of any of the Parties to alter this Federal Equilibrium by way of any Contract of Renunciation, of Retroceſſion, ſince the ſame reaſon, which induced its being admitted, demonſtrates its permanency, a fundamental Conſtitution being formed, which may ſettle by an unalterable Law the Succeſſion of what is to come. In conſequence of what is aboveſaid, and for the Love I bear to the *Spaniards*, and from the Knowledge I have of what I ow to them, and the repeated Experience of their Fidelity, and for making a return to Divine Providence, by this Reſignation to its Deſtiny, for the great benefit of having placed and maintained me on the Throne among ſuch Illuſtrious and well-deſerving Vaſſals, I have determined to abdicate, for my ſelf, and all my Deſcendants, the Right of Succeeding to the Crown of *France*, deſiring not to depart from Living and Dying with my beloved and faithful *Spaniards*; leaving to all my Deſcendants the inſeparable Bond of their Fidelity and Love. And to the end that this Reſolution may have its due effect, and that the matter may ceaſe, which has been looked upon as one of the principal motives of the War, which has hitherto afflicted *Europe*, of my own motion, free, ſpontaneous, and unconſtrained Will, I *Don Philip*, by the Grace of God, King of *Caſtille*, *Leon*, *Aragon*, the Two *Sicilles*, *Jeruſalem*, *Navarre*, *Granada*, *Toledo*, *Valencia*, *Galicia*, *Majorca*, *Seville*, *Sardinia*, *Corduba*, *Corſica*, *Murcia*, *Jaen*, the *Algarves*, *Algezira*, *Gibralter*, the *Canary Iſlands*, the *Eaſt* and *Weſt Indies*, the *Iſlands*, and *Terra firma* of the Ocean, Arch Duke of *Auſtria*, Duke of *Burgundy*, *Brabant*, and *Milan*, Count of *Habſpurg*, *Flanders*, *Tirol* and *Barcelona*, Lord of *Biſcay* and *Molina*, &c. Do by this preſent Inſtrument, for my ſelf, for my Heirs and Succeſſors, Renounce, Quit, and Relinquiſh for ever and ever all Pretenſions, Rights, and Titles, which I have, or any Deſcendant of mine hath at preſent, or may have at any time to come to the Suceſſion of the Crown of *France*; and I declare, and hold my ſelf for excluded and ſeparated, me, and my Sons, Heirs, and Deſcendants for ever, for excluded and diſabled abſolutely,

ſolutely, and without limitation, difference, and diſtinction of Perſons, Degrees, Sexes, and Times, from the Act and Right of ſucceeding to the Crown of *France*. And I will and conſent, for my ſelf, and my ſaid Deſcendants, that now, as well as then, it may be taken to be paſſed over and transferred to him, who by mine and their being excluded, diſabled, and incapacitated, ſhall be found next and immediate in Degree to the King, by whoſe Death it ſhall become vacant; and the Succeſſion to the ſaid Crown of *France* is at any time, and in any caſe to be ſettled on, and given to him, to have and to hold the ſame as true and lawful Succeſſor in the ſame manner, as if I, and my Deſcendants had not been born, or been in the World; ſince for ſuch are we to be held and eſteemed, becauſe in my Perſon, and in that of my Deſcendants, there is no Conſideration to be had, or Foundation to be made of active or paſſive Repreſentation, beginning, or continuation of Lineage effective, or contentive of Subſtance, Blood, or Quality, nor can the Deſcent, or Computation of Degrees of thoſe Perſons be derived from the moſt Chriſtian King my Lord and Grandfather, nor from the Dauphin my Father, nor from the Glorious Kings their Progenitors; nor by any other means can they come into the Succeſſion, nor take Poſſeſſion of the Degree of Proximity, and exclude from it the Perſon, who, as is aboveſaid, ſhall be found next in Degree. I will and conſent for my ſelf, and for my Deſcendants, that from this time, as well as then, this Right be look'd upon and conſidered as paſſed over, and transferred to the Duke of *Berry* my Brother, and to his Sons and Deſcendants, being Males, born in conſtant lawful Marriage; and in default of his Male Iſſue, to the Duke of *Orleans* my Uncle, and to his Sons and Deſcendants, being Males born in conſtant lawful Marriage; and in default of his Iſſue, to the Duke of *Bourbon* my Couſin, and to his Sons and Deſcendants, being Males, born in conſtant lawful Marriage; and in like manner ſucceſſively to all the Princes of the Blood of *France*, their Sons and Deſcendants, being Males, for ever and ever, according to the Place and Order in which they ſhall be called to the Crown by Right of their Birth; and conſequently to that Perſon among the ſaid Princes, who (I and all my ſaid Deſcendants, being, as is aboveſaid, excluded diſabled, and incapacitated) ſhall be found the neareſt in immediate Degree after the King, by whoſe Death the Vacancy of the Crown of *France* ſhall happen, and to whom the Succeſſion ought

ought to belong at any time, and in any caſe whatſoever, that he may poſſeſs the ſame as true and lawful Succeſſor, in the ſame manner as if I, and my Deſcendants had not been born. And for the greater ſtrength of this Act of Abdication of all the Rights and Titles, which appertained to me, and to all my Sons and Deſcendants, of ſucceeding to the aforeſaid Crown of *France*, I depart from, and relinquiſh eſpecially that which might moreover accrue to the Rights of Birth from the Letters Patents, or Inſtrument, whereby the King my Grandfather preſerved and reſerved to me, and enabled me to enjoy the Right of Succeſſion to the Crown of *France*, which Inſtrument was diſpached at *Verſailles* in the Month of *December*, in the year 1700, and paſſed and approved, and regiſtred by the Parliament. I will that it cannot ſerve me for a Foundation to the purpoſes therein provided for, and I reject and renounce it, and hold it for null, void, and of no force, and for cancelled, and as if no ſuch Inſtrument had ever been executed. I promiſe and oblige my ſelf on the Faith of a King's Word, that as much as ſhall relate to my part, and that of my Sons and Deſcendants, which are and ſhall be, I will take care of the Obſervation and Accompliſhment of this Writing, without permitting or conſenting that any thing be done contrary thereunto, directly or indirectly, in the whole, or in part; And I relinquiſh and depart from all and all manner of Remedies, known or unknown, ordinary or extraordinary, and which by common Right, or ſpecial Priviledge might belong to Us, to Me, and to my Sons and Deſcendants, to reclaim, mention, or alledge againſt what is aboveſaid; and I renounce them all, and eſpecially that of evident Prejudice, enormous, and moſt enormous, which may be reckoned to have happened in this Relinquiſhment and Renunciation of the Right of being able at any time to ſucceed to the Crown aforementioned. I will that none of the ſaid Remedies, nor others, of whatſoever name, uſe, importance, and quality they may be, do avail us, or can avail us. And if in fact, or under any colour We ſhould endeavour to ſeize the ſaid Kingdom by force of Arms, by making or moving War, offenſive or defenſive, from this time for ever, that is to be held, judged, and declared, for an unlawful, unjuſt, and wrongfully undertaken War, and for Violence, Invaſion, and Uſurpation, done againſt reaſon and conſcience; and on the contrary, that is to be judged and eſteemed a juſt, lawful, and allowed War, which ſhall be made, or moved in behalf of him, who by the Excluſion of me, and of my ſaid Sons and Deſcendants,

ought to ſucceed to the ſaid Crown of *France*, to whom the Subjects and Natives thereof are to apply themſelves, and to obey him, to take and perform the Oath and Homage of Fealty, and to ſerve him as their lawful King and Lord. And the Relinquiſhment and Renunciation, for me, and my ſaid Sons and Deſcendants, is to be firm, ſtable, valid, and irrevocable perpetually, for ever and ever. And I declare and promiſe, That I have not made, neither will I make any Proteſtation, or Reclaiming, in publick, or in ſecret, to the contrary, which may hinder or diminiſh the force of what is contained in this Writing; and that if I ſhould make it, altho' it be ſworn to, it is not to be valid, neither can it have any force; And for the greater Strength and Security of what is contained in this Renuntiation, and of what is ſaid and promiſed on my part therein, I give again the pledge of my Faith, and Royal Word, and I ſwear ſolemnly by the Goſpels contained in this Miſſal, upon which I lay my Right Hand, that I will obſerve, maintain, and accompliſh this Act, and Inſtrument of Renuntiation, as well for my ſelf, as for all my Succeſſors, Heirs, and Deſcendants, in all the Clauſes therein contained, according to the moſt natural, literal, and plain ſenſe and conſtruction; And that I have not ſought, neither will I ſeek any Diſpenſation from this Oath; and if it ſhall be ſought for by any particular Perſon, or ſhall be granted *motu propria*, I will not uſe it, nor take any advantage of it. Nay, in ſuch caſe as that it ſhould be granted me, I make another the like Oath, That there may always be and remain one Oath above and beyond all Diſpenſations which may be granted me. And I deliver this Writing before the preſent Secretary, Notary of this my Kingdom, and I have ſigned it, and commanded it to be Sealed with my Royal Seal; there being provided, and called as Witneſſes, the Cardinal *Don Franciſco de Judice*, Inquiſitor General, and Archbiſhop of *Montreal*, one of my Council of State; Don *Joſeph Fernandez* of *Velaſco* and *Tobar*, Conſtable of *Caſtile*, Duke of *Frias*, Gentleman of my Chamber, my High Steward of my Houſe-hold, great Cup-bearer, and great Huntſman; Don *Juan Claros Alfonzo Perez de Guſman el Bueno*, Duke of *Medina Sidonia*, Knight of the Order of the Holy Ghoſt, my great Maſter of the Horſe, Gentleman of my Chamber, and one of my Council of State; Don *Franciſco Andres de Benavides*, Count of *Santiſtevan*, one of my Council of State, and High Steward to the Queen; Don *Carlos Homodei Laco de la Vega*, Marquiſs of *Almonacir*, and Count of *Caſa Palma*, Gentleman of my Chamber, one

one of my Council of State, and Great Maſter of the Horſe to the Queen; *Don Reſtayno Cantelmo* Duke of *Popoli*, Knight of the Order of the Holy Ghoſt, Gentleman of my Chamber, and Captain of my *Italian* Life-Guards; *Don Fernando* of *Aragon* and *Moncada*, Duke of *Montalto*, Marquiſs of *los Velez*, Commander of *Silla* and *Benaſul* in the Order of *Monteſſa*, Gentleman of my Chamber, and one of my Council of State; *Don Antonio Sebaſtian de Toledo*, Marquiſs of *Manſera*, Gentleman of my Chamber, one of my Council of State, and Preſident of that of *Italy*; *Don Juan Domingo* of *Haro* and *Guzman*, Great Commander in the Order of St. *James*, one of my Council of State; *Don Joachim Ponce de Leon*, Duke of *Arcos*, Gentleman of my Chamber, Great Commander in the Order of *Calatrava*, one of my Council of State; *Don Domingo de Giudice*, Duke of *Giovenazzo*, one of my Council of State; *Don Manuel Coloma*, Marquiſs of *Canales*, Gentleman of my Chamber, one of my Council of State and Captain General of the Artillery of *Spain*; *Don Joſeph de Solis*, Duke of *Montellano*, one of my Council of State; *Don Rodrigo Manuel Manrique de Lara* Count of *Frigiliana*, Gentleman of my Chamber, one of my Council of State, and Preſident of that of the *Indies*; *Don Iſidro de la Cueva*, Marquiſs of *Bedmar*, Kight of the Order of the Holy Ghoſt, Gentleman of my Chamber, one of my Council of State, Preſident of that of the Orders, and firſt Miniſter of War; *Don Franciſco Ronquillo Briceno*, Count of *Gramedo*, Governor of my Council of *Caſtille*; *Don Lorenzo Armangual*, Biſhop of *Gironda*, one of my Council, and Chamber of *Caſtille*, and Governor of that of the Revenues; *Don Carlos de Borja* and *Centellas*, Patriarch of the *Indies*, one of my Council of the Orders, my Chaplain and Great Almoner, and Vicar-General of my Armies; *Don Martin de Guzman*, Marquiſs of *Montealegre*, Gentleman of my Chamber, and Captain of my Guard of Halberdiers; *Don Pedro de Toledo Sarmiento*, Count of *Gondomar*, one of my Council, and Chamber of *Caſtile*; *Don Franciſco Rodrigues de Mendaroſqueta*, Commiſſary General of the *Cruzada*; and *Don Melchior de Avellaneda*, Marquiſs of *Valdecanas*, one of my Council of War, and Director General of the Infantry of *Spain*.

I the King.

I *Don Manuel* of *Vadillo* and *Velaſco*, Knight of the Order of Saint *James*, and Commander of *Poſuelo* in that of *Calatrava*, Secretary of State to his Majeſty, Publick Notary and Writer

ter in his Kingdoms and Dominions, who was preſent at the Delivery, and at all the reſt herein above contained, do Teſtify the ſame: And in witneſs of the truth I have ſigned it, and put my name thereto, in *Madrid* the Fifth of *November*, 1712.

Manuel Vadillo y Velaſco.

NOW in regard to the Federal Conventions, whereof mention is made in the ſaid Inſtrument here inſerted, and to the end it may appear authentically to all the Parties where it appertains, and who may pretend to make uſe of the Contents thereof; And for all the effects which may take place in Right, and which may be derived from the Delivery hereof, under the Clauſes, Conditions, and Suppoſitions therein contained, I have commanded theſe Preſents to be made out, ſigned with my Hand, and Sealed with the Seal of my Royal Arms, and counterſigned by my under-written Secretary of State, and Chief Notary of theſe my Kingdoms, at *Buen Retiro*, the Seventh of *November* 1712.

(L. S.) I the King.

Manuel de Vadillo y Velaſco.

I Don *Franciſco Antonio le Quincoces*, Knight of the Order of Saint *James*, one of his Majeſties Council, and Secretary of that of the Chamber, and of State of *Caſtile*, Publick Notary, and Writer in his Kingdoms and Dominions,

Do Certify, that in purſuance of the Propoſition which the King our Lord (whom God preſerve) made to the Kingdom aſſembled in Cortes, repreſented by all the Knights Deputies from the Cities and Towns, which have a Vote therein, the Fifth Day of this preſent Month and Year, in his Royal Palace of *Buen Retiro*, and upon ſight of the Inſtrument of Renunciation, delivered by his Majeſty the ſame Day, Month, and Year, before Don *Manuel* of *Vadillo* and *Velaſco*, his Secretary of State, and Publick Notary and Writer in all his Kingdoms and Dominions, which his Majeſty ordered him to preſent, and which was read, and publiſhed in the Meeting of the Cortes, which the Kingdom held for this alone, the Ninth of this Month, the following Reſolution was agreed upon.

That the moſt humble Repreſentation be made by the Kingdom, laying our ſelves at the Royal Feet of his Majeſty, giving him immortal thanks for the immenſe benefits, and exceeding great

great Favours, wherewith he has been pleaſed to honour and exalt the *Spaniſh* Nation, by taking care of the greateſt Good and Advantage of his moſt loving Vaſſals, by procuring to this Monarchy the eaſe of this deſired Peace and Tranquility. And that the Kingdom, deſiring on their part to contribute to the attaining the Royal Intention of his Majeſty, aſſents to, and if it were neceſſary for the greater Authority, Validity, and Strength, approves, and confirms the Renunciation which his Majeſty is pleaſed to make for himſelf, and in the name of all his Royal Deſcendants, to the Succeſſion which poſſibly may happen of the Monarchy of *France*, with this circumſtance, that the like Renunciation to this Crown is to be executed by the Princes of that Royal Family, and their Deſcendants: And likewiſe the perpetual Excluſion of the Houſe of *Auſtria* from the Dominions of this Monarchy; And in like manner in caſe of failure (which God forbid) of the Royal Iſſue of his Majeſty, the calling of the Houſe of the Duke of *Savoy*, and of all his Sons, and Male Deſcendants, born in conſtant lawful Matrimony; and in default of all theſe Lines, of the Prince *Amadeus* of *Carignan*, his Sons, and Male Deſcendants, born in conſtant lawful Matrimony; and on failure thereof, of the Prince *Thomas*, Brother of the ſaid Prince of *Carignan*, his Sons, and Male Deſcendants, born in conſtant lawful Matrimony; who as Deſcendants of the Infanta Donna *Catharina*, Daughter of *Philip* the Second, and being expreſly called, have a clear and known Right, ſuppoſing the Friendſhip and perpetual Alliance with this Crown, which ought to be ſought and obtained by the Duke of *Savoy*, and his Deſcendants. And that the Kingdom approves, agrees to, and ratifies all theſe three things, and each of them, with the ſame Qualities, Conditions and Suppoſitions, as are expreſſed, inferred, and concluded in the ſaid Inſtrument of Renunciation executed by his Majeſty, which has been mentioned and referred to. And laſtly, That for ſecuring and eſtabliſhing the ſtrength of theſe Treaties, theſe Kingdoms oblige themſelves, with all their power and force, to cauſe to be maintained the Royal Reſolutions of his Majeſty, ſacrificing in his Royal Service, even to the laſt drop of their Blood, offering to his Majeſty their Lives and Fortunes, in token of their Love. And that for the eternal Remembrance and Obſervance of the Royal Deliberation of his Majeſty, and Agreement of the Kingdom, it be deſired in their Name (as in effect they have deſired and petitioned by their Repreſentation and Conſultation made the ſame Ninth day of this Month) that his

Majeſty

Majeſty would be pleaſed to order, that by annulling all that ſhall be found to the contrary, it be eſtabliſhed as a fundamental Law, as well the aforeſaid Renunciations, as the perpetual Excluſion of the Houſe of *Auſtria* from the Dominions of this Crown, and the Calling of that of *Savoy* to the Succeſſion of theſe Kingdoms, in default (which God forbid) of Deſcendants from his Majeſty; which the Kingdom, with the Approbation of his Majeſty, does even now agree to, as the Foundation, whereon depends the greateſt Good and Advantage of this Monarchy, ſo much purſued, favoured, and exalted by the Royal Benevolence of his Majeſty.

And the King our Lord, having agreed to this unanimious and uniform Reſolution and Repreſentation of all the Knights Deputies in the Corties of the Kingdom, he has been pleaſed, by his Royal Decree of the Seventh of this Month, to command it to be remitted to his Supreme Council, jointly with the Writing of Renunciation, ordained that the Tenor of the Law be forthwith formed, extended, and diſpoſed, with all the circumſtances of clearneſs and ſtrength, for its more inviolable and perpetual Obſervation.

As all that is aboveſaid does more largely appear from the aforementioned Inſtruments, the Reſolution, and Supplication of the Kingdom, which are cited, and to which I refer. And this Certificate ſigned with my Hand, ſealed with the Seal of the Royal Arms of his Majeſty, I give by vertue of his Royal Order, in the Paper of the Maquiſs of *Majorada* and of *Brena*, one of his Council, Gentleman of his Chamber, his Secretary of State, and of the Univerſal Diſpatch. At *Madrid* the Ninth of *November*, 1712.

(L. S.) *Don Franciſco de Quincoces.*

DON *Philip*, by the Grace of God, King of *Caſtille*, *Leon*, *Aragon*, and both *Sicilies*, *Jeruſalem*, *Navarr*, *Granada*, *Toledo*, *Valentia*, *Galicia*, *Majorca*, *Seville*, *Sardinia*, *Corduba*, *Corſica*, *Murcia*, *Jaen*, the *Algarves*, *Algezira*, *Gibraltar*, the *Canaries*, the *Eaſt* and *Weſt Indies*, the *Iſlands* and *Continent* of the Ocean, Archduke of *Auſtria*, Duke of *Burgundy*, *Brabant*, and *Milan*, Count of *Habſpurg*, *Flanders*, *Tirol*, and *Barcelona*, Lord of *Biſcay* and *Molina*, &c. The earneſt Deſires, which moved the Moſt Chriſtian King my Grandfather and my ſelf, to procure an End to the bloody and obſtinate War, which has afflicted *Europe* ſo many Years, and to give a due Relief to our Vaſſals, who

were

were overwhelmed with ſuch Labours and Fatigues, as were not to be ſupported but by their invincible Courage and conſtant Love and Fidelity, made us uſe all poſſible Endeavours to obtain a General Peace with the Powers Confederated againſt the Two Crowns, preferring that to our Intereſt; and whereas having begun to treat of Peace with the Queen of *England*, it was agreed between the Three Crowns of *Spain*, *France*, and *England*, That I ſhould, in my own and my Deſcendants name, renounce the Right which we have, or might have to the Crown of *France*, together with the reſt—and in the Form contained in the Act, the Tenor whereof is as follows:

Don Philip, *by the Grace of God*, &c.

The Renunciation is inſerted above.

And whereas the Renunciation and the Act above inſerted, being by my Command communicated to the States of my Kingdom, who for the greater Validity of the ſaid Renunciation and Act, were aſſembled in this Place, were received and approved by them in all its Parts, and they, by their Repreſentation of the Ninth of *November* laſt, did deſire me, in my Royal Wiſdom, to Command, That the Excluſion of the Houſes of *France* and *Auſtria*, and the order of Succeſſion in the Houſe of *Savoy* after all my Deſcendants, (which are contained in the above mentioned Act of Renunciation) ſhould be eſtabliſhed as a fundamental Law; And whereas, becauſe this Method is as uſeful and neceſſary to the Benefit of the general Peace of *Europe*, the Quiet and Comfort of my Vaſſals, as to the common Good of theſe Kingdoms, my Counceilors did therefore adviſe me to it, I thought it good, and determined to Command, as I do Comand, That every thing contained in the abovementioned Act be obſerved, fulfilled, and executed for ever, as it is contained therein; And in conſequence of the ſaid Act, I and all my Deſcendants are for ever excluded from the Succeſſion to the Crown of *France*, ſo that we never can ſucceed to the ſaid Crown, under any pretence, at any time, or on any accident, or occaſion whatſoever; and all the Princes of the Blood of *France*, and all of their Race, either in being, or that ſhall be, are by the ſaid Act excluded reciprocally from the Monarchy of *Spain*; and all the Princes, as well Males as Females of the Houſe of *Auſtria*, that are either now in being, or that ſhall be, are in the ſame manner excluded, ſo that neither the one nor the other

can

can ever in any caſe, either yet thought of, or not thought of, ſucceed to the Monarchy of *Spain*, or to the Provinces that now are, or hereafter may be united; And in caſe of failure of my Royal Perſon, and of my Lawful Deſcendants, as well Male as Female, I do declare, That the Duke of *Savoy* ought to ſucceed to this Monarchy, and his Sons, and Male Deſcendants, coming from the Male Line in conſtant and lawful Wedlock; and on failure of his Male Line, the Prince *Amadeus* of *Carignan*, and his Sons, and Male Deſcendants from the ſame Line, born in conſtant and lawful Wedlock; and on failure of his Male Line, Prince *Thomas*, Brother of the Prince of *Carignan*, his Sons, and Male Deſcendants from the ſame Line Male, born in conſtant lawful Wedlock; all whom, as deſcending from the Infanta, the Lady *Catharine* Daughter of Don *Philip* the Second, and by this expreſs Vocation have an evident and acknowledged Right to the Succeſſion of this Monarchy. It is my Will that this Order of Succeſſion be for ever obſerved, fulfilled, and executed, according to the Letter, as is above contained, nothwithſtanding the Law of Partition, commonly called *Partida*, which ſpeaks of the Form and Manner of ſucceeding in theſe Kingdoms, and notwithſtanding any other Laws, Ordinances, Statutes or Cuſtoms whatſoever, which are or may be contrary thereunto, and nothwithſtanding any teſtamentary Diſpoſitions, made by the Kings our Anceſtors when they were alive, and notwithſtanding any Declaration which we made in favour of the Duke of *Orleans*, and his Sons and Deſcendants, as Grandſon of the Infanta the Lady *Anna Mauricia* deceaſed Queen of *France*, from all which We derogate by this Law, and reſcind and annul them, inaſmuch as they are contrary to the Tenor of this Act, the reſt remaining in their Force, in like manner as this Renunciation, Excluſion and Order of Succeſſion, for ever, with the other things there expreſſed, for the fundamental Law of the Succeſſion of this Monarchy, in the ſame form as is there expreſſed. And this is my Will. Given at *Madrid* the 18th day of *March*, 1713.

I THE KING

I Don *Lorentius de Vivanco Angulo*, Secretary of Our Lord the King, have writ this by his Command.

Count de *Gramedo*.
Marquis of *Andea*,
Don *Garcias de Araciel*.
Marquis of *Aranda*.
Don *Peter* of *Reatiqui* and *Colona*.

Publi

Publication.

IN the City of *Madrid* the 18th day of the Month of *March*, 1713, before the Gate of his Majesties Palace, at the Gate of *Guadalaxera*, where the Merchants and Officers resort upon Business, and in the presence of the Licentiates Don *Melchior Prous*, Don *Diego de Pellizer*, and *Thobar*, Knight of the Order of St. *James*, Don *Francisco Zephirino de Villa*, and Don *John Gaspar Fovilla* of St. *Martin*, *Alcaid* of the House and Court of his Majesty: The Law and Royal Ordinance above inserted, were published by a Herald with Sound of Drums and Trumpets, many of the Guards of his Majesties House and Court being present, which I Don *John* of *Barco* and *Oliva*, Notary of the King our Masters Chamber, and one of his Counsellors do certify, and besides those above-named, many others were present.

Don John of Barco and Oliva.

This is a Copy of his Majesties Royal Ordinance, and of its Publication, the Original whereof is preserved in the Archieves of the Council which I certify for every one who is of the Order of Counsellors; I Don *Michael Rubin* of *Noriega*, Notary of the King Our Masters Chamber, the most ancient of those who are of the King's Council, I Signed this at *Madrid* the 18th day of *March* 1713.

Don Michael Rubin de Noriega.

AND whereas the Princes also of the House of *France* have, in like manner, for themselves, their Heir, and Successors, Renounced on their part all kind of Right, Title, and Pretension to the Crown of *Spain*, or to any the Dominions thereof, in the Form and Words following.

Letters Patents, By the KING,

Which admit the Renunciation of the King of Spain *to the Crown of* France, *and those of M. the Duke of* Berry *and of M. the Duke of* Orleans, *to the Crown of* Spain.

LEWIS, by the Grace of God, King of *France* and *Navarre*: To all People present and to come, Greeting. During the various Revolutions of a War, wherein We have sought only to maintain the Justice of the Rights of the King, Our most dear and most beloved Grandson, to the Monarchy of *Spain*, We have never ceased to desire Peace. The greatest

Succeſſes did not at all dazle Us, and the contrary Events, which the Hand of God made uſe of to try Us, rather than to deſtroy Us, did not give birth to that Deſire in Us, but found it there. But the time marked out by Divine Providence for the Repoſe of *Europe* was not yet come; the diſtant Fear of ſeeing, one Day, Our Crown, and that of *Spain*, upon the Head of one and the ſame Prince, did always make an equal Impreſſion on the Powers, which were united againſt Us; and this Fear, which had been the principal Cauſe of the War, ſeemed alſo to lay an inſuperable Obſtacle in the way to Peace. At laſt, after many fruitleſs Negotiations, God being moved with the Sufferings and Groans of ſo many People, was pleaſed to open a ſurer way to come at ſo difficult a Peace. But the ſame Alarms ſtill ſubſiſting, the firſt and principal Condition, which was propos'd to Us by Our moſt dear and moſt beloved Siſter the Queen of *Great-Britain*, as the eſſential and neceſſary Foundation of Treating, was, That the King of *Spain*, Our ſaid Brother and Grandſon, keeping the Monarchy of *Spain*, and of the *Indies*, ſhould Renounce for himſelf, and his Deſcendants for ever, the Rights which his Birth might at any time give him and them to Our Crown; That on the other hand, Our moſt dear and moſt beloved Grandſon the Duke of *Berry*, and Our moſt dear and moſt beloved Nephew the Duke of *Orleans*, ſhould likewiſe Renounce for themſelves, and for their Deſcendants, Male and Female for ever, their Rights to the Monarchy of *Spain* and the *Indies*. Our ſaid Siſter cauſed it to be Repreſented to Us, That without a formal and poſitive Aſſurance upon this point, which alone could be the Bond of Peace, *Europe* would never be at reſt; all the Powers which ſhare the ſame, being equally perſwaded, That it was ſo their general Intereſt, and for their common Security, to continue a War, whereof no one could foreſee the end, rather than to be expoſed to behold the ſame Prince become one day Maſter of Two Monarchies, ſo Powerful as thoſe of *France* and *Spain*. But as this Princeſs (whoſe indefatigable Zeal for re-eſtabliſhing the general Tranquillity We cannot ſufficiently praiſe) was ſenſible of all the Reluctancy We had to conſent, that one of our Children, ſo worthy to inherit the Succeſſion of Our Forefathers, ſhould neceſſary be excluded from it, if the Misfortune wherewith it has pleaſed God to afflict Us in Our Family, could moreover take from Us, in the Perſon of the Dauphin Our moſt Dear and moſt Beloved Grandſon, the only Remainder of thoſe Princes which Our Kingdom has ſo juſtly lamen-

lamented with Us; She entred into Our Pain, and after having jointly ſought out gentler means of ſecuring the Peace, We agreed with Our ſaid Siſter to propoſe to the King of *Spain* other Dominions, inferior indeed to thoſe which he poſſeſſes, yet the Value thereof would ſo much the more inceaſe under his Reign, in as much as in that caſe he would preſerve his Rights, and annex to Our Crown a part of the ſaid Dominions, if he came one time or other to ſucceed Us. We employed therefore the ſtrongeſt reaſons to perſwade him to accept this alternative. We gave him to underſtand, that the Duty of his Birth was the firſt which he ought to conſult; that he owed himſelf to his Houſe, and to his Country, before he was obliged to *Spain*; that if he were wanting to his firſt Engagements, he would perhaps one day in vain regret his having abandoned thoſe Rights, which he would be no more able to maintain. We added to theſe Reaſons the perſonal motives of Friendſhip and of tender Love, which we thought likely to move him; the pleaſure We ſhould have in ſeeing him from time to time near Us, and in paſſing ſome part of our days with him, which We might promiſe Our ſelves from the Neighbourhood of the Dominions that were offered him, the ſatisfaction of inſtructing him Our ſelves concerning the State of our Affairs, and of relying upon him for the future; ſo that, if God ſhould preſerve to Us the Dauphin, We could give our Kingdom, in the Perſon of the King Our Brother, and Grandſon, a Regent inſtructed in the Art of Government; And that if this Child ſo precious to Us and to Our Subjects, were alſo taken from Us, We ſhould at leaſt have the Conſolation of leaving to Our People a Vertuous King, fit to Govern them, and who would likewiſe annex to Our Crown very conſiderable Dominions. Our inſtances reiterated with all the force and with all the tender affection neceſſary to perſuade a Son, who ſo juſtly deſerves thoſe Efforts, which We made for preſerving him to *France*, producing nothing but reiterated Refuſals on his part, ever to abandon ſuch brave and faithful Subjects, whoſe Zeal for him had been diſtinguiſhed in thoſe Conjunctures, when his Throne ſeemed to be the moſt ſhaken. So that perſiſting with an invincible firmneſs in his firſt Reſolution, aſſerting likewiſe, That it was more glorious, and more advantagious for Our Houſe, and for Our Kingdom, than that which We preſſed him to take, he declared in the Meeting of the States of the Kingdom of *Spain*, aſſembled at *Madrid* for that purpoſe, that for obtaining a General Peace, and ſecuring the Tranquility of *Europe* by a Balance of

Power, he of his own proper motion, of his own free will, and without any conſtraint, Renounced for himſelf, for his Heirs and Succeſſors for ever and ever, all Pretenſions, Rights and Titles, which he, or any of his Deſcendants, have at preſent, or may have at any time to come, whatſoever, to the Succeſſion of Our Crown; That he held for excluded therefrom himſelf, his Children, Heirs, and Deſcendants for ever; That he conſented for himſelf and for them, that now, as well as then, his Right, and that of his Deſcendants, ſhould paſs over and be transferred to him among the Princes, whom the Law of Succeſſion, and the Order of Birth calls, or ſhall call to inherit our Crown in default of Our ſaid Brother and Grandſon the King of *Spain*, and of his Deſcendants, as it is more amply ſpecified in the Act of Renunciation approved by the States of his Kingdom; And conſequently he declared, That he deſiſted particularly from the Right which hath been added to that of his Birth by Our Letters Patents of the Month of *December* 1700. whereby We declared, That it was Our Will, That the King of *Spain* and his Deſcendants ſhould always preſerve the Rights of their Birth and Original in the ſame manner as if the reſided actually in our Kingdom; And from the Regiſtry which was made of Our ſaid Letters Patents, both in Our Court of Parliament, and in Our Chamber of Accounts at *Paris*. We are ſenſible, as King, and as Father, how much it were to be deſired that the General Peace could have been concluded without a Renunciation, which makes ſo great a Change in Our Royal Houſe, and in the Ancient Order of ſucceeding to Our Crown; But We are yet more ſenſible how much it is Our Duty to ſecure ſpeedily to Our Subjects a Peace, which is ſo neceſſary for them. We ſhall never forget the Efforts which they made for us during the long continuance of a War, which We could not have ſupported, If their Zeal had not been much more extenſive than their Power. The welfare of a People ſo faithful, is to Us a ſupreme Law, which ought to be preferred to any other Conſideration. It is to this Law that We this day ſacrifice the Right of a Grandſon, who is ſo dear to Us, and by the Price which the General Peace will coſt Our tender Love, We ſhall at leaſt have the Comfort of ſhewing Our Subjects, that even at the Expence of Our Blood, they will always keep the firſt place in Our Heart.

For theſe cauſes, and other important Conſiderations Us thereunto moving, after having ſeen in Our Council the ſaid Act of Renunciation of the King of *Spain*, Our ſaid Brother and Grand-

ſon,

ſon, of the Fifth of *November* laſt, as alſo the Acts of Renunciation, which Our ſaid Grandſon the Duke of *Berry*, and Our ſaid Nephew the Duke of *Orleans*, made reciprocally of their Rights to the Crown of *Spain*, as well for themſelves as for their Deſcendants, Male and Female, in conſequence of the Renunciation of Our ſaid Brother and Grandſon the King of *Spain*, the whole hereunto annexed, with a Copy collated of the ſaid Letters Patents of the Month of *December* 1700. under the Counter-Seal of Our Chancery, of Our ſpecial Grace, full Power, and Royal Authority, We have declared, decreed, and ordained, and by theſe Preſents ſigned with Our Hand, We do declare, decree, and ordain, We Will, and it is Our Pleaſure, That the ſaid Act of Renunciation of Our ſaid Brother and Grandſon the King of *Spain*, and thoſe of Our ſaid Grandſon the Duke of *Berry*, and of Our ſaid Nephew the Duke of *Orleans*, which We have admitted, and do admit, be Regiſtred in all Our Courts of Parliament, and Chambers of Our Accounts in Our Kingdom, and other Places were it ſhall be neceſſary, in order to their being executed according to their Form and Tenor. And conſequent- We will and intend, That Our ſaid Letters Patents of the Month of *December* 1700. be and remain null, and as if they had never been made, that they be brought back to Us, and that in the Margin of the Regiſters of Our ſaid Court of Parliament, and of Our ſaid Chamber of Accounts, where the Enrolment of the ſaid Letters Patent is, the Extract of theſe Preſents be placed and incerted, the better to ſignify Our Intention as to the Revocation, and Nullity of the ſaid Letters. We will that in conformity to the ſaid Act of Renunciation of Our ſaid Brother and Grandſon the King of *Spain*, he be from henceforth looked upon and conſidered, as excluded from Our Succeſſion, that his Heirs, Succeſſors, and Deſcendants be likewiſe excluded for ever, and looked upon as incapable of enjoying the ſame. We underſtand that in failure of them, all Rights to Our ſaid Crown, and Succeſſion to Our Dominions, which might at any time whatſoever belong and appertain to them, be and remain transferred to Our moſt dear, and moſt beloved Grandſon the Duke of *Berry*, and to his Children and Deſcendants, being Males, born in lawful Marriage; and ſucceſſively in failure of them, to thoſe of the Princes of Our Royal Houſe, and their Deſcendants, who in Right of their Birth, or by the Order eſtabliſhed ſince the Foundation of Our Monarchy, ought to ſucceed to Our Crown. And ſo We command Our Beloved and Truſty Councellors, the Mem-

bers

bers of Our Court of Parliament at *Paris*, That they do cauſe theſe Preſents, together with the Acts of Renunciation made by Our ſaid Brother and Grandſon the King of *Spain*, by Our ſaid Grandſon the Duke of *Berry*, and by Our ſaid Nephew the Duke of *Orleans*, to be read, publiſhed, and regiſtred, and the Contents thereof to be kept, obſerved, and executed, according to their Form and Tenor, fully, peaceably, and perpetually, ceaſing, and cauſing to ceaſe all Moleſtations and Hindrances, notwithſtanding any Laws, Statutes, Uſages, Cuſtoms, Decrees, Regulations, and other Matters contrary thereunto; whereto, and to the Derogations of the Derogations therein contained, We have derogated, and do derogate by theſe Preſents, for this purpoſe only, and without being brought into precedent. For ſuch is our Pleaſure.

And to the end that this may be a matter firm and laſting for ever. We have cauſed Our Seal to be affixed to theſe Preſents. Given at *Verſailles* in the Month of *March*, in the Year of Our Lord 1713. and of Our Reign the 70th. Sign'd *Lewis*, and underneath, By the King, *Phelypeaux*. *Viſa*, *Phelypeaux*. And Sealed with the Great Seal on green Wax, with Srings of red and green Silk.

Read and publiſhed, the Court being aſſembled, and regiſtred among the Rolls of the Court, the King's Attorney General being heard, and moving for the ſame, to the end that they may be executed according to their Form and Tenor, in purſuance of and in conformity to the Acts of this Day. At *Paris* in Parliament the 15th of *March*, 1713.

Sign'd,
DONGOIS.

The Renunciation of the Duke of Berry *to the Crown of* Spain.

CHARLES Son of *France*, Duke of *Berry*, *Alenſon*, and *Angouleſme*, Viſcount of *Vernon*, *Andely*, and *Giſors*, Lord of the Chatellenies of *Coignac* and *Merpins*; To all Kings, Princes, Common-wealths, Communities, and to all other Bodies, and private Perſons, preſent and to come, be it known. All the Powers of *Europe* finding themſelves almoſt ruined on account of the preſent Wars, which have carried Deſolation to the Frontiers, and into many other parts of the richeſt Monarchies, and other Dominions, It has been agreed in the Conferences and Treaties of Peace, which are Negotiating with *Great-Britain*,

to

to eſtabliſh an Equilibrium, and Political Boundaries between the Kingdoms, whereof the Intereſts have been, and are ſtill the ſad occaſion of a bloody Diſpute; and to hold it for a fundamental Maxim in order to preſerve this Peace, that Proviſion ought, to be made, that the Forces of theſe Kingdoms may not become formidable, nor be able to cauſe any Jealouſy, which, it has been thought, cannot be ſettled more ſolidly than by hindring them from extending themſelves, and by keeping a certain Proportion, to the end that the weaker being united together may defend themſelves againſt the more powerful, and ſupport themſelves reſpectively againſt their Equals.

For this purpoſe the King our moſt Honoured Lord and Grandfather, and the King of *Spain*, our moſt dear Brother, have agreed and concluded with the Queen of *Great-Britain*, that reciprocal Renunciations ſhall be made by all the Princes, both preſent and to come, of the Crown of *France*, and of that of *Spain*, of all Rights, which may appertain to each of them, to the Succeſſion of the one or of the other Kingdom, by eſtabliſhing an habitual Right to the Succeſſion to the Crown of *Spain*, in that Line which ſhall be made capable thereof, and declared immediate after that of King *Philip* the Fifth our Brother, by the Eſtates of *Spain*, who were to aſſemble for this purpoſe; by making an immoveable Balance to maintain the Equilibrium, which is intended to be placed in *Europe*, and by going on to particularize all the Caſes of Union which are foreſeen, to ſerve as an example for all ſuch as may happen. It has likewiſe been agreed and concluded between the King, our moſt Honoured Lord and Grandfather, King *Philip* the Fifth, our Brother, and the Queen of *Great-Britain*, That the ſaid King *Philip* ſhall renounce for himſelf, and for all his Deſcendants, the hopes of Succeeding to the Crown of *France*; That on our ſide we ſhall renounce in like manner, for us, and for our Deſcendants, the Crown of *Spain*; That the Duke of *Orleans*, our moſt dear Uncle, ſhall do the ſame thing: So that all the Lines of *France*, and of *Spain*, reſpectively and relatively, ſhall be excluded for ever, and by all kind of ways, from all the Right, which the Lines of *France* might have to the Crown of *Spain*, and the Lines of *Spain* to the Crown of *France*; And laſtly, that care ſhall be taken, that under pretence of the ſaid Renunciations, or under any other pretence whatſoever, the Houſe of *Auſtria* may not make uſe of the Pretenſions, which it might have to the Succeſſion of the Monarchy of *Spain*; foraſmuch as by uniting

this Monarchy to the Hereditary Countries and Dominions of that Houſe, it would become formidable, even without the Union of the Empire, to the other Powers, which are between both, and which would find themſelves as it were ſurrounded; which would deſtroy the Equality, that is eſtabliſhing at preſent, to ſecure and ſtrengthen more perfectly the Peace of Chriſtendom, and to take away all manner of Jealouſy from the Powers of the North, and of the Weſt, which is the end that is propoſed by this political Equilibrium, by removing and excluding all theſe Branches, and calling to the Crown of *Spain*, in default of the Lines of King *Philip* the Fifth our Brother, and of all his Children and Deſcendants, the Houſe of the Duke of *Savoy*, which deſcends from the Infanta *Catharina* Daughter of *Philip* the Second; it having been conſidered, That in making the ſaid Houſe of *Savoy* ſucceed immediately in this manner, this Equality and Balance between the three Powers may be fixed as it were in its Centre, without which it would be impoſſible to extinguiſh the Flame of War, which has been kindled, and is capable of deſtroying every thing.

Being willing therefore to concur by our Relinquiſhment, and by the Abdication of all our Rights, for us, our Succeſſors, and Deſcendants, to the eſtabliſhing of the univerſal Repoſe, and the ſecuring the Peace of *Europe*, becauſe, we believe, that this method is the ſureſt and moſt effectual in the terrible circumſtances of this conjuncture, We have reſolved to renounce the hopes of ſucceeding to the Crown of *Spain*, and all the Rights thereunto, which belong to us, and may belong to us, under any title, and by any means whatſoever. And to the end that this Reſolution may have its full effect, and alſo by reaſon that King *Philip* the Fifth, our Brother, did on his part, the Fifth of this preſent Month of *November*, make his Renunciation of the Crown of *France*, We of our meer, free, and frank will, and without being moved thereunto by any reſpectful Awe, or by any other regard, except thoſe abovementioned, do declare and hold our ſelves from this preſent, We, our Children, and Deſcendants, excluded and diſabled abſolutely for ever, without Limitation or Diſtinction of Perſons, Degrees, or Sexes, from every act, and from all Right of Succeeding to the Crown of *Spain*. We will, and conſent for Us, our ſaid Children, and Deſcendants, That from this time and for ever, We and they, in conſequence of theſe Preſents, be held to be excluded and diſabled, in like manner as all the other Deſcendants of the houſe of *Auſtria*, who as it has been ſaid and

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ſuppoſed, ought alſo to be excluded, in whatever degree we may be, both the one and the other; and if the Succeſſion falls to Us, our Line, that of all our Deſcendants, and all the others of the Houſe of *Auſtria*, as it has been ſaid, ought to be ſeparated and excluded therefrom, That for this reaſon the Kingdom of *Spain* be accounted as devolved, and transferred to him, to whom in ſuch caſe the Succeſſion ought to devolve and be transferred, at any time whatſoever, ſo that we do take and hold him for true and lawful Succeſſor, becauſe for the ſame reaſons and motives, and in conſequence of theſe Preſents, neither we, nor our Deſcendants, ought any more to be conſidered as having any Foundation of Repreſentation active or paſſive, or making any Continuation of Line effective, or contentive of Subſtance, Blood, or Quality, or likewiſe to derive any Right from our Deſcent, or to reckon our degrees from the Perſons of the Queen *Maria Thereſa* of *Auſtria*, our moſt Honoured Lady and Grandmother, of the Queen *Anne* of *Auſtria*, our moſt Honoured Lady and Great Grandmother, or of the Glorious Kings their Anceſtors; on the contrary, we ratify the Clauſes of their Wills, and the Renunciations made by the ſaid Ladies, our Grandmother and Great-Grandmother, we renounce likewiſe the Right, which may belong to us, and to our Children and Deſcendants, by virtue of the Will of King *Charles* the Second, which, notwithſtanding what is above mentioned, calls us to the Succeſſion of the Crown of *Spain*, in caſe of Failure of the Line of *Philip* the Fifth. We therefore relinquiſh this Right, and renounce the ſame, for us, our Children and Deſcendants; We promiſe and engage, for us, our ſaid Children and Deſcendants, to employ our ſelves with all our might, in cauſing this preſent Act to be fulfilled, without allowing, or ſuffering that the ſame be violated directly or indirectly, in the whole, or in part; And we relinquiſh all means, ordinary or extraordinary, which by common Right, or by any ſpecial Privilege might belong to us, our Children and Deſcendants; which means we likewiſe renounce abſolutely, and particularly, that of evident, enormous, and moſt enormous Prejudice, which may be found in the ſaid Renunciation of the Succeſſion to the Crown of *Spain*. And we will that none of the ſaid Means may, or can have any effect, and that if under this pretext, or any other colour, we would poſſeſs our ſelves of the ſaid Kingdom by force of Arms, the War which we ſhould make, or ſtir up, be deemed unjuſt, unlawful, and unduly undertaken. And on the contrary, that the

War, which he ſhould make upon us, who by virtue of this Renunciation ſhould have right to ſucceed to the Crown of *Spain*, be deemed juſt and allowable. And that all the Subjects, and people of *Spain*, do acknowledge him, obey him, defend him, do him hommage, and ſwear Fealty to him, as to their King and lawful Lord.

And for the greater Security of all that we ſay and promiſe for our ſelves, and in the Name of our Children and Deſcendants, we Swear ſolemnly on the Goſpels contained in this Miſſal, upon which we lay our Right Hand, that we will keep, maintain and fulfil the ſame in all and every part thereof; That we will never ask to be relieved from the ſame, and if any one do ask it for us, or if it be granted us *motu proprio*, we will not make uſe, or take advantage of it. But rather in caſe it ſhould be granted us, we over and above make this other Oath, and this ſhall ſubſiſt and remain for ever, whatever Diſpenſations may be granted us. We ſwear and promiſe likewiſe, that we have not made, neither will we make, in publick, or in ſecret, any Proteſtation, or Reclamation to the contrary, which may hinder what is contained in theſe Preſents, or leſſen the force thereof; and if we ſhould make any, whatever Oaths they may be accompanied with, they ſhall not have any force or virtue, or produce any effect.

In Witneſs whereof, and to render theſe Preſents Authentick, they have been paſſed before Maſters *Alexander le Fevre*, and *Anthony le Moyne* Counſellors to the King, Notaries, Minute-Keepers to His Majeſty, and Seal-keepers in the Chatelet of *Paris*, here under written, who have wholly delivered this preſent Act; And for cauſing theſe Preſents to be Publiſhed and Regiſtred, where-ever it ſhall be neceſſary, my Lord the Duke of *Berry* has conſtituted the Bearers of theſe Diſpatches, by Duplicates thereof, his general and ſpecial Attornies to whom my ſaid Lord has, by theſe ſaid Preſents, given ſpecial Power and Authority in that behalf. At *Marly*, the Twenty fourth Day of *November*, 1712. before Noon, and has ſigned the preſent Duplicate, and another, and the Minute thereof remaining in the Hands of the ſaid *le Moyne* Notary.

Signed,

CHARLES,

Le Fevre, *Le Moyne*.

WE *Jerome d'Argouges*, Knight, Lord of *Fleury*, Counſellor to the King in his Councils, Honorary Maſter of the Requeſt

Requeſts of his Houſhold, Civil Lieutenant of the City, Provoſtſhip, and Vicounty of *Paris*, do certifie to all to whom it may appertain, That Maſters *Alexander le Fevre* and *Anthoney le Moyne*, who have ſigned the Act on the other ſide, are Counſellors to the King, Notaries, Minute-Keepers to his Majeſty, and Seal-Keepers at the Chatelet of *Paris*, and that faith is to be given, as well in Court, as out of it, to the Acts received by them. In Witneſs whereof we have ſigned theſe Preſents, cauſed the ſame to be counterſigned by our Secretary, and the Seal of our Arms to be affixed. At *Paris* the Twenty fourth of *November* 1712.

Signed,
d'Argouges.
By my ſaid Lord,
BARBEY.

Read and publiſhed, the Court Sitting, and Regiſtred in the Rolls of the Court, the Kings Attorney General being heard, and moving for the ſame, in order to its being executed according to its Form and Tenor, in purſuance of, and in conformity to the Acts of this Day. At *Paris*, in Parliament, the Fifteenth of *March*, 1713.

Sign'd,
DONGOIS.

The Renunciation of the Duke of Orlans *to the Crown of* Spain.

PHILIP Grandſon of *France*, Duke of *Orleans*, *Velois*, *Chartres*, and *Nemours*, To all Kings, Princes, Commonwealths, Potentates, Communities, and to all Perſons, as well preſent, as to come, We make known by theſe Preſents; That the Fear of the Union of the Crowns of *France* and *Spain*, having been the principal Motive of the preſent War, and the other Powers of *Europe* having always apprehended leſt theſe Two Crowns ſhould come upon one Head, it has been laid down as the Foundation of the Peace, which is treated of at preſent, and which 'tis hoped may be cemented more and more, for the Repoſe of ſuch a number of Countries, which has ſacrificed themſelves, as ſo many Victims, to oppoſe the Dangers, wherewith they thought themſelves threatned, That it was neceſſary to eſtabliſh a kind of Equality and Equilibrium between the Princes, who were in diſpute, and to ſeparate for ever, in an irrevocable manner, they Rights which they pretend to have, and which they defended, ſword in hand, with a reciprocal Slaughter on each ſide.

That with intent to eſtabliſh this Equality, the Queen of *Great Britain* propoſed, and upon Her Inſtances, it has been agreed by the King our moſt Honoured Lord and Uncle, and by the Catholick King, our moſt dear Nephew, that for avoiding at any time whatſoever the Union of the Crowns of *France* and *Spain*, reciprocal Renunciations ſhould be made, That is to ſay, by the Catholick King *Philip* the Fifth our Nephew, for himſelf, and for all his Deſcendants, of the Succeſſion to the Crown of *France*; As alſo by the Duke of *Berry*, our moſt dear Nephew, and by Us, for our ſelves, and for all our Deſcendants, of the Crown of *Spain*; on condition likewiſe, that neither the Houſe of *Auſtria*, nor any of the Deſcendants thereof, ſhall be able to ſucced to the Crown of *Spain*, becauſe this Houſe it ſelf, without the Union of the Empire, would become formidable, if it ſhould add a new Power to its ancient Dominions; And conſequently this Equilibrium which is deſigned to be eſtabliſhed for the good of the Princes and States of *Europe*, would ceaſe. Now it is certain that without this Equilibrium, either the States ſuffer from the Weight of their own greatneſs, or Envy engages their Neighbours to make Alliances to attack them, and to reduce them to ſuch a point, that theſe great Powers may inſpire leſs Fear, and may not aſpire to an univerſal Monarchy.

For attaining the end which is propoſed, and by reaſon that his Catholick Majeſty has on his part made his Renunciation the Fifth of this preſent Month, We conſent that, in Failure of *Philip* the Fifth, our Nephew, and of his Deſcendants, the Crown of *Spain* do paſs over to the Houſe of the Duke of *Savoy*, whoſe Rights are clear and known, inaſmuch as he deſcends from the *Infanta Catharina*, Daughter of *Philip* the Second, and as he is called by the other Kings his Succeſſors; ſo that his Right to the Succeſſion of *Spain* is indiſputable.

And we deſiring on our ſide to concur towards the glorious End, which is propoſed for re-eſtabliſhing the Publick Tranquillity, and for preventing the Fears which the Rights of our Birth, or all others, which might appertain unto us, might occaſion, have reſolved to make this Relinquiſhment, this Abdication, and this Renunciation of all our Rights, for our ſelves, and in the name of all our Succeſſors and Deſcendants; And for the accompliſhing of this Reſolution, which we have taken of our meer, free, and frank Will, we declare and hold our ſelves from this preſent us, our Childred and Deſcendants for excluded and diſabled, abſolutly, and for ever, and without Limitation or Diſtinction of

Perſons

Perſons, of Degrees, and of Sexes, from every Act, and from all Right of Succeeding to the Crown of *Spain*. We will and conſent, for us and our Deſcendants, that from this time, and for ever, we be held, we, and ours, for excluded, diſabled, and incapacitated, in whatever Degree we may happen to be, and in what manner ſoever the Succeſſion may fall to our Line, and to all others, whether of the Houſe of *France*, or of that of *Auſtria*, and of all the Deſcendants both of the one and the other Houſe, which, as it is ſaid and ſuppoſed, ought likewiſe to hold themſelves for cut off and excluded; And that for this reaſon the Succeſſion to the ſaid Crown of *Spain* be deemed to be devolved, and transfered to him to whom the Succeſſion of *Spain* ought to be transferred, in ſuch caſe, and at any time whatſoever; ſo that we do take and hold him for true and lawful Succeſſor, becauſe neither we, nor our deſcendants, ought any more to be conſidered as having any foundation of Repreſentation, active or paſſive, or making a Continuation of a Line effective, or contentive of Subſtance, Blood, or Quality, nor ought we to derive any Right from our Deſcent, or reckon the Degrees from Queen *Anne* of *Auſtria*, our moſt honoured Lady and Grandmother, nor from the Glorious Kings her Anceſtors. On the contrary we ratify the Renunciation which the ſaid Lady Queen *Anne* made, and all the Clauſes which the Kings *Philip* the third, and *Philip* the Fourth inſerted in their Wills. We renounce in like manner all the Right which may appertain to us, and to our Children and Deſcendants, by virtue of the Declaration made at *Madrid* the Twenty Ninth of *October* 1703. by *Philip* the Fifth King of *Spain*, our Nephew; and any Right which might appertain to us, for us, and our Deſcendants, we relinquiſh the ſame, and renounce it for us and for them; We promiſe and engage for us, our ſaid Children and Deſcendants, preſent and to come, to employ our ſelves with all our might, in cauſing theſe Preſents to be obſerved and fulfilled, without allowing, or ſuffering that, directly or indirectly, the ſame be violated, whether in the whole, or in part. And we relinquiſh all means, ordinary or extraordinary, which by common Right, or any ſpecial Privilege might appertain to us, our Children and Deſcendants; which means we renounce abſolutely, and in particular that of evident, enormous and moſt enormous prejudice, which may be found in the Renunciation of the Succeſſion to the ſaid Crown of *Spain*; And we will that any of the ſaid means neither may, nor can ſerve, or avail us. And if under this pre-

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text, or any other colour whatever, we would poſſeſs our ſelves of the ſaid Kingdom of *Spain* by force of Arms, that the War which we ſhould make, or ſtir up, be held for unjuſt, unlawful, and unduly undertaken; and that on the contrary, that which he ſhould make upon us, who by virtue of this Renunciation ſhould have Right to ſucceed to the Crown of *Spain*, be held for juſt and allowable; And that all the Subjects and People of *Spain* do acknowledge him, obey him, defend him, do Hommage to him, and take the Oath of Fealty to him, as to their King and lawful Lord.

And for the greater aſſurance, and ſecurity of all that we ſay and promiſe, for us, and in the name of our Succeſſors and Deſcendants, we ſwear ſolemnly on the Holy Goſpels contained in this Miſſal, whereon we lay our Right Hand, that we will keep, maintain, and fulfil the ſame wholly and intirely; And that we will at no time ask to have our ſelves relieved therefrom; and if any Perſon asks it, or if it is granted us *motu proprio*, we will not make uſe, or avail our ſelves thereof; But rather in caſe it ſhould be granted us, we make another Oath, that this ſhall ſubſiſt and remain for ever, what Diſpenſation ſoever may be granted us. We further ſwear and promiſe, That we have not made, neither will we make, either in publick, or in ſecret, any Proteſtation, or Reclamation to the contrary, which may hinder that which is contained in theſe Preſents, or leſſen the force thereof, and if we ſhould make any, what Oath ſoever they may be attended with, they ſhall not have either force or virtue, or produce any effect.

And for greater Security, we have paſſed, and do paſs the preſent Act of Renunciation, Abdication, and Relinquiſhment before Maſters *Anthony le Moyne*, and *Alexander le Fevre*, Counſellers to the King, Notaries, Minute-Keepers, and Seal-Keepers at the Chatelet of *Paris*, here-under written, in our Palace-Royal at *Paris*, 1712. the Nineteenth of *November*, before Noon; and for cauſing theſe Preſents to be inſinuated and regiſtred in every place, where it ſhall appertain, we have conſtituted the Bearer to be our Attorney and we have ſigned theſe Preſents, and the minute thereof remaining in the Poſſeſſion of the ſaid *le Fevre* Notary. *PHILIP* of *ORLEANS*.

Le Moyne, *Le Fevre*.

WE *Jerome d'Argouges*, Knight, Lord of *Fleury*, Counſellor to the King in his Councils, Honorary Maſter of the Requeſts of his Houſhold, Civil Lieutenant of the City, Provoſtſhip,

ſhip, and Vicounty of *Paris*, do Certify to all, to whom it ſhall appertain, That Maſter *Anthony le Moyne*, and *Alexander le Fevre*, who have ſigned the Act of Renunciation on the other ſide, are Councellors to the King, Notaries at the Chatelet of *Paris*, and that faith ought to be given as well in Judgment, as out of the ſame, to the Acts by them received. In Witneſs whereof we have ſigned theſe Preſents, cauſed the ſame to be counterſigned by our Secretary, and the Seal of our Arms to be affixed. At *Paris*, the Twenty firſt of *November*, 1712.

Signed,

d'ARGOUGES.

By my ſaid Lord,

BARBEY.

Read and publiſhed, the Court being aſſembled, and regiſtred in the Rolls of the Court, the Kings Attorney General being heard and requiring the ſame, that it may be executed according to its Form and Tenor, in purſuance of, and in conformity to the Acts of this Day. At *Paris* in Parliament, the Fifteenth of *March*, 1713. Signed,

DONGOIS.

The Kings Letters Patents of the Month of December, 1700.

LEWIS, by the Grace of God, King of *France* and *Navarre*: To all preſent and to come, Greeting. The proſperities, which it has pleaſed God to heap upon us during the Courſe of our Reign, are ſo many motives to us, to apply our ſelves, not only for the time preſent, but alſo for the future, to the Happineſs and Tranquility of the People, whereof Divine Providence has entruſted to us the Government. His impenetrable Judgments let us only ſee, That we ought not to place our confidence, neither in our Forces, nor in the extent of our Dominions, nor in a numerous Poſterity, and that theſe Advantages which we receive from his goodneſs alone, have no other ſolidity, than what it pleaſes Him to give them. But as it is however His Will that the Kings, whom he chuſes to lead his People, ſhould foreſee afar off the Events able to produce Diſorders, and the moſt Bloody Wars; That they ſhould make uſe of the Lights, which His Divine Wiſdom pours upon them; We fulfil his Deſigns, when, in the midſt of the univerſal Rejoycings of our Kingdom, we look upon, as a poſſible thing, a ſad futurity, which we pray God to avert for ever. At the

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ſame time that we accept the Will of the late King of *Spain*, That our moſt dear and moſt beloved Son the Dauphin renounces his lawful Right to that Crown in favour of his Second Son the Duke of *Anjou* our moſt dear and moſt beloved Grandſon, inſtituted by the late King of *Spain*, his univerſal Heir; That this Prince known at preſent by the name of *Philip* the Fifth King of *Spain*, is ready to enter his Kingdom, and to anſwer the earneſt wiſhes of his new Subjects. This great Event does not hinder us from carrying our Views beyond the time preſent, and when our Succeſſion appears the beſt eſtabliſhed, we judge it to be equally the Duty of a King, and of a Father, to declare for the future our will conformably to the Sentiments which theſe two Qualities inſpire in us. Wherefore being perſwaded that the King of *Spain* our Grandſon will always preſerve for us, for our Houſe, for the Kingdom wherein he is born, the ſame tenderneſs, and the ſame ſentiments, whereof he has given us ſo many proofs, that his example, uniting his new Subjects to ours, is going to form a perpetual Amity, and the moſt perfect Correſpondence between them; We ſhould think likewiſe that we do him an Injuſtice, whereof we are incapable, and occaſion an irreparable prejudice to our Kingdom, if we ſhould hereafter look upon as a ſtranger, a Prince, whom we grant to the unanimous Requeſts of the *Spaniſh* Nation.

For theſe Cauſes, and other great Conſiderations us hereunto moving, of our ſpecial Grace, full Power, and Royal Authority, we have reſolved, declared, and ordained, and by theſe Preſents ſigned with our Hand, We do reſolve, declare, and ordain, We will, and it is our Pleaſure, That our moſt dear and moſt beloved Grandſon the King of *Spain*, do preſerve for ever the Rights of his Birth, in the ſame manner as if he made his actual Reſidence in our Kingdom; wherefore our moſt dear and moſt beloved only Son the Dauphin, being the true and lawful Succeſſor and Heir of our Crown, and of our Dominions, and after him our moſt dear and moſt beloved Grandſon the Duke of *Burgundy*, if it ſhould happen (which God forbid) that our ſaid Grandſon the Duke of *Burgundy* ſhould come to die without male Children, or that thoſe which he ſhould have in good and lawful Marriage, ſhould die before him, or if the ſaid male Children ſhould not leave any male Children after them, born in lawful Marriage, in ſuch caſe our ſaid Grandſon the King of *Spain*, making uſe of the Rights of his Birth, is to be the true and lawful Succeſſor to our Crown, and to our Dominions, notwithſtanding he ſhould

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be at that time abſent, and reſiding out of our ſaid Kingdom; And immediately after his Deceaſe, his Heirs Male begot in lawful Marriage, ſhall come into the ſaid Succeſſion, notwithſtanding that they may be born, or that they may dwell out of our Kingdom; we will that for the aboveſaid Cauſes, neither our ſaid Grandſon, the King of *Spain*, nor his Children, being Males, be deemed and reputed leſs able and capable to enter upon the ſaid Succeſſion, or upon others which may fall to them within our ſaid Kingdom. On the contrary we intend, That all Rights, and generally other things whatever, which may at preſent, or for the future belong and appertain to them, be and remain preſerved whole and intire, as it they did reſide and dwell conſtantly within our Kingdom to the time of their deceaſe, and as if their Heirs had been Natives, and Inhabitants of the Kingdom; having for this purpoſe, as far as there is or ſhall be need, enabled and diſpenſed with them, as we do enable and diſpenſe with them by theſe Preſents. And ſo we give it in command to our beloved and truſty Counſellors, the Members of our Court of Parliament, and Chamber of our Accounts at *Paris*, Preſidents and Treaſurers General of *France* in the Office of our Exchequer eſtabliſhed in the ſame place, and to all other our Officers and Juſtices to whom it ſhall appertain, that they cauſe theſe Preſents to be Regiſtred, and our ſaid Grandſon the King of *Spain*, his Children and Deſcendants, being Male, born in Lawful Marriage, to enjoy and uſe the Contents thereof, fully and peaceably, any thing to the contrary notwithſtanding; to which by our Grace and Authority, as aboveſaid, we have derogated, and do derogate; for this is our Pleaſure. And that this may be a matter firm and laſting for ever, we have cauſed our Seal to be put to theſe Preſents. Given at *Verſailles*, in the Month of *December*, in the Year of our Lord 1700. and of our Reign the 58th. Signed *LEWIS*, and on the Fold, By the King, *Phelipeaux*. And Sealed with the Great Seal on Green Wax, with Strings of Red and Green Silk.

Regiſtred, the Kings Attorney General being heard, and requiring the ſame, in order to their being executed according to their Form and Tenor, purſuant to the Act of this Day. At *Paris* in Parliament the Firſt of *February*, 1701.

Signed,

DONGOIS.

HIS ſaid Catholick Majeſty hereby renews and confirms the moſt ſolemn Renunciation above mentioned, made on his part; and has it has obtained the force of a general and fundamental Law, he engages again in the moſt ſacred manner poſſible, that he will obſerve, and take care that the ſame be obſerved inviolably, and he will likewiſe uſe his utmoſt diligence, and provide with the greateſt earneſtneſs, that the aforeſaid Renunciations may be irrevocably obſerved, and put in execution, as well on the part of *Spain*, as on the part of *France*, foraſmuch as while they ſubſiſt in their full force, and are faithfully kept on both ſides, as alſo the other Tranſactions relating thereto, the Crowns of *Spain* and *France* will be ſo ſeparated and divided from each other, that they can never hereafter be united in one.

III. That there be a perpetual Amneſty on both ſides, and Oblivion of all things which have been in an hoſtile manner committed in any place, or by any way, on one ſide and on the other, during the late War. So that neither on account thereof, nor by reaſon or under pretence of any other matter, ſhall the one any way do or ſuffer to be done any Enmity to the other, or give any Moleſtation, directly or indirectly, under colour of Right, or by way of Fact.

IV. All and ſingular the Priſoners on each ſide, of what ſtate or condition ſoever they be, ſhall immediately after the Ratification of this preſent Treaty, be reſtored to their former liberty, without any Ranſom, paying only ſuch Debts as they may have contracted, during their being Priſoners.

V. Moreover for giving a greater and more laſting ſtrength to the Peace which is reſtored, and to this Friendſhip, which is never to be violated, and for cutting off all occaſions of Diſtruſt, which may at any time ariſe from the eſtabliſhed Right and Order of the Hereditary Succeſſion to the Crown of *Great Britain*, and the Limitation thereof by the Laws of *Great Britan* (made and enacted in the Reign of the late King *William* the Third, of glorious Memory, and in the Reign of the preſent Queen) to the Iſſue of the above named Queen, and in failure thereof to the moſt Serene Princeſs *Sophia*, Electreſs Dowager of *Brunſwick*, and her Heirs in the Proteſtant Line of *Hannover*. That therefor the ſaid Succeſſion may be well and ſecurely preſerved according to the Laws of *Great-Britain*, the Catholick King ſincerely and ſolemnly acknowledges the abovementioned Limitation of the Succeſſion to the Kingdom of *Great-Britain*; And declares and engages, on the Faith and Word of a King, and on the

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Pledge of his and his Succeſſors Honour, that the ſame is, and ſhall for ever be approved and accepted by him and his Heirs and Succeſſors; And under the ſame tye of the word of a King and his Honour, the Catholick King does promiſe, that no perſon beſides the ſaid Queen, and her Succeſſors, according to the Order of Limitation eſtabliſhed by the Laws and Statutes of *Great-Britain*, ſhall ever be acknowledged or reputed by him, or by his Heirs and Succeſſors, to be King or Queen of *Great-Britain*.

VI. The Catholick King doth further promiſe, as well in his own name, as in that of his Heirs and Succeſſors, that they will not at any time diſturb or moleſt the ſaid Queen of *Great-Britain*, her Heirs and Succeſſors, of the Proteſtant Line, as aforeſaid, being in poſſeſſion of the Crown of *Great Britain*, and the Dominions ſubject thereunto; neither will the aforeſaid Catholick King, or any of his Succeſſors give at any time any aid, ſuccour, favour, or counſel, directly or indirectly, by land, or by ſea, in Money, Arms, Ammunition, Warlike Inſtruments, Ships, Soldiers, Seamen, or in any other manner whatever, to any perſon or perſons, whoſoever they be, who on any cauſe or pretence ſhould hereafter endeavour to oppoſe the ſaid Succeſſion, either by open War, or by encouraging Sedition, and forming Conſpiracies againſt ſuch Prince and Princes, who are in poſſeſſion of the Throne of *Great Britain*, by virtue of the Acts of Parliament there made, or againſt that Prince or Princeſs to whom the Succeſſion to the Crown of *Great Britain* ſhall belong, according to the Acts of Parliament as aboveſaid.

VII. That the ordinary diſtribution of Juſtice be reſtored and open again through the Kingdoms and Dominions of each of their Royal Maieſties, ſo that it may be free for all the Subjects on both ſides, to proſecute and obtain their Rights, Pretenſions and Actions, according to the Laws, Conſtitutions, and Statutes of each Kingdom. And eſpecially if there be any Complaints concerning Injuries or Grievances, which have been done contrary to the Tenour of the Treaties, either in time of Peace, or at the beginning of the War lately ended, care ſhall be taken that the Damages be forthwith made Good, according to the Rule of Juſtice.

VIII. That there be a free uſe of Navigation and Commerce between the Subjects of each Kingdom as it was heretofore, in time of Peace and before the Declaration of this late War, in the Reign of *Charles* the Second, of glorious Memory, Catholick King of *Spain*, according to the Treaties of Friendſhip,

Confederation, and Commerce, which were formerly made between both Nations, according to antient Cuſtoms, Letters Patents, Cedulas, and other particular Acts; and alſo according to the Treaty or Treaties of Commerce which are now or will forthwith be made at *Madrid*. And whereas among other Conditions of the General Peace, it is by common conſent eſtabliſhed as a chief and Fundamental Rule, that the exerciſe of Navigation and Commerce to the *Spaniſh Weſt-Indies* ſhould remain in the ſame State it was in the time of the aforeſaid King *Charles* the Second: That therefore this Rule may hereafter be obſerved with inviolable Faith, and in a manner never to be Broken, and thereby all Cauſes of diſtruſt and ſuſpition concerning that matter may be prevented and removed, it is eſpecially agreed and concluded, that no Licence nor any Permiſſion at all, ſhall at any time be given either to the *French*, or to any Nation whatever, in any name or under any pretence, directly or indirectly, to ſail, to traffick in or introduce Negroes, Goods, Merchandizes, or any things whatſoever, into the Dominions ſubject to the Crown of *Spain* in *America*, except what may be agreed by the Treaty or Treaties of Commerce aboveſaid, and the Rights and Privileges granted in a certain Convention, commonly called *el Aſſiento de Negros*, where of mention is made in the Twelfth Article; except alſo whatſoever the ſaid Catholick King, or his Heirs or Succeſſors, ſhall promiſe by any Contract or Contracts for the Introduction of Negroes into the *Spaniſh Weſt-Indies*, to be made after that the Convention or the *Aſſiento de Negros* abovementioned ſhall be determined. And that more Strong and full Precautions may be taken on all Sides, as aboveſaid, concerning the Navigation and Commerce to the *Weſt-Indies*, it is hereby further Agreed and Concluded That neither the Catholick King, nor any of his Heirs and Succeſſors whatſoever, ſhall Sell, Yield, Pawn, Transferr, or by any means, or under any name, Alienate from them and the Crown of *Spain*, to the *French*, or to any other Nations whatever, any Lands, Dominions, or Territories, or any Part thereof belonging to *Spain* in *America*. On the contrary, that the *Spaniſh* Dominions in the *Weſt-Indies* may be preſerved whole and entire, the Queen of *Great-Britain* engages, that ſhe will endeavour, and give aſſiſtance to the *Spaniards*, that the ancient Limits of their Dominions in the *Weſt-Indies* be reſtored, and ſettled as they ſtood in the time of the above ſaid Catholick King *Charles* the Second: if it ſhall appear that they have in any manner, or under any pretence, been broken into, and leſſened in any part, ſince the Death of the aforeſaid Catholick King *Charles* the Second. IX

IX. It is further agreed and concluded as a general Rule, That all and ſingular the Subjects of each Kingdom ſhall in all Countries and Places on both ſides have and enjoy at leaſt the ſame Privileges, Liberties, and Immunities, as to all Duties, Impoſitions, or Cuſtoms whatſoever, relating to Perſons, Goods, and Merchandizes, Ships, Freight, Seamen, Navigation, and Commerce; and ſhall have the like favour in all things, as the Subjects of *France*, or any other Foreign Nation, the moſt favoured, have, poſſeſs, and enjoy, or at any time hereafter may have, poſſeſs, or enjoy.

X. The Catholick King does hereby, for himſelf, his Heirs, and Succeſſors, yield to the Crown of *Great Britain* the full and intire Propriety of the Town and Caſtle of *Gibraltar*, together with the Port, Fortifications, and Forts thereunto belonging; and he gives up the ſaid Propriety to be held and enjoyed abſolutely with all manner of Right for ever, without any Exception or Impediment whatſoever. But that Abuſes and Frauds may be avoided by Importing any kinds of Goods, the Catholick King Wills, and takes it to be underſtood, that the abovenamed Propriety be yielded to *Great-Britain* without any Territorial Juriſdiction, and without any open Commnnication by Land with the Country round about. Yet whereas the Communication by Sea with the Coaſt of *Spain* may not at all times be ſafe or open, and thereby it may happen that the Gariſon, and other Inhabitants of *Gibraltar* may be brought to great Straits; And as it is the intention of the Catholick King, only that fraudulent Importations of Goods ſhould, as is abovesaid, be hindred by an Inland Communication, It is therefore provided, That in ſuch caſes it may be Lawful to purchaſe, for ready Money in the neighbouring Territories of *Spain*, Proviſions, and other things neceſſary for the uſe of the Gariſon, the Inhabitants, and the Ships which lie in the Harbour. But if any Goods be found Imported by *Gibraltar*, either by way of Barter for purchaſing Proviſions, or under any other pretence, the ſame ſhall be confiſcated, and complaint being made thereof, thoſe Perſons who have acted contrary to the Faith of this Treaty, ſhall be ſeverely puniſhed. And Her *Britannick* Majeſty, at the requeſt of the Catholick King, does conſent and agree, That no leave ſhall be given under any pretence whatſoever, either to *Jews* or *Moors* to reſide or have their dwellings in the ſaid Town of *Gibraltar*; And that no Refuge or Shelter ſhall be allowed to any *Mooriſh* Ships of War in the Harbour of the ſaid Town, whereby the Communication between

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Spain and *Ceuta* may be obſtructed, or the Coaſts of *Spain* be inſeſted by the Excurſions of the *Moors*. But whereas Treaties of Friendſhip, and a Liberty and Intercourſe of Commerce are between the *Britiſh* and certain Territories ſituate on the Coaſt of *Africa*, it is always to be underſtood, That the *Britiſh* Subjects cannot refuſe the *Moors* and their Ships entry into the Port of *Gibraltar* purely upon the account of Merchandizing. Her Majeſty the Queen of *Great-Britain* does further promiſe, That the free exerciſe of their Religion ſhall be indulged to the Roman-Catholick Inhabitants, of the aforeſaid Town. And in caſe it ſhall hereafter ſeem meet to the Crown of *Great-Britain* to grant, ſell, or by any means to alienate therefrom the propriety of the ſaid Town of *Gibraltar*, it is hereby agreed, and concluded, That the preference of having the ſame ſhall always be given to the Crown of *Spain* before any others.

XI. Moreover the Catholick King doth in like manner for himſelf, his Heirs and Succeſſors, yield to the Crown of *Great-Britain* the whole Iſland of *Minorca*, and doth transfer thereunto for ever, all Right, and the moſt abſolute Dominion over the ſaid Iſland, and in particular over the Town, Caſtle, Harbour and Fortifications of the Bay of *Minorca*, commonly called *Port Mahon*, together with the other Ports, Places, and Towns, ſituated in the aforeſaid Iſland. But it is provided, as in the above written Article, That no Refuge or Selter ſhall be open to any Ships of War of the *Moors* in *Port Mahon*, or in any other Port of the ſaid Iſland of *Minorca*, whereby the *Spaniſh* Coaſts may be inſeſted by their Excurſions: And the *Moors* and their Ships ſhall only be allowed to enter the Iſland aforeſaid, on account of Traffick, according to the Agreement of Treaties. The Queen of *Great Britain* promiſes alſo on Her part, That if at any time it ſhall happen that the Iſland of *Minorca*, and the Ports, Towns, and Places therein ſituated, be by any means hereafter alienated from the Crown of Her Kingdoms, the preference ſhall be given to the Crown of *Spain* before any other Nation whatever, of redeeming the Poſſeſſion and Propriety of the aforeſaid Iſland. Her Royal Majeſty of *Great Britain* moreover engages, That ſhe will take care, that all the Inhabitants of the ſaid Iſland, both Eccleſiaſtical and Secular, ſhall ſafely and peaceably enjoy all their Eſtates and Honours, and the free uſe of the Roman Catholick Religion ſhall be permitted: And meaſures ſhall be taken for preſerving the aforeſaid Religion in that Iſland, provided the ſame be conſiſtent with the Civil Government and Laws of *Great-Britain*.

Britain. Thoſe likewiſe who are now in the Service of his Catholick Majeſty, ſhall enjoy their Honours and Eſtates, though they continue in the ſaid Service; and it ſhall be lawful for any Perſon who is deſirous to leave the ſaid Iſland to ſell his Eſtate, and paſs freely with the Value thereof into *Spain.*

XII. The Catholick King doth furthermore hereby give and grant to Her *Britannick* Majeſty, and to the Company of Her Subjects appointed for that purpoſe, as well the Subjects of *Spain*, as all others, being excluded, the Contract for introducing Negroes into ſeveral parts of the Dominions of his Catholick Majeſty in *America*, commonly called *el Pacto de el Aſſiento de Negros*, for the ſpace of Thirty years ſucceſſively, beginning from the Firſt day of the Month of *May* in the Year 1713, with the ſame Conditions on which the *French* enjoyed it, or at any time might or ought to enjoy the ſame, together with a Tract or Tracts of Land to be allotted by the ſaid Catholick King, and to be granted to the Company aforeſaid, commonly called *la Compania de el Aſſiento*, in ſome convenient place on the River of *Plata* (no Duties or Revenues being payable by the ſaid Company on that account during the time of the above mentioned Contract, and no longer;) and this Settlement of the ſaid Society, or thoſe Tracts of Land, ſhall be proper and ſufficient for Planting and Sowing, and for Feeding Cattle for the Subſiſtence of thoſe who are in the Service of the ſaid Company, and of their Negroes; and that the ſaid Negroes may be there kept in Safety till they are ſold; and moreover, that the Ships belonging to the ſaid Company may come cloſe to Land, and be ſecure from any Danger. But it ſhall always be Lawful for the Catholick King to appoint an Officer in the ſaid Place or Settlement, who may take care that nothing be done or practiſed contrary to his Royal Intereſts. And all who manage the Affairs of the ſaid Company there, or belong to it, ſhall be ſubject to the Inſpection of the aforeſaid Officer, as to all Matters relating to the Tracts of Land abovementioned. But if any Doubts, Difficulties or Controverſies ſhould ariſe between the ſaid Officer and the Managers for the ſaid Company, they ſhall be referred to the Determination of the Governor of *Buenos Ayres.* The Catholick King has been likewiſe pleaſed to grant to the ſaid Company ſeveral other extraordinary Advantages, which are more fully and amply explained in the Contract of the *Aſſiento*, which was made and concluded at *Madrid* the 26th Day of the Month of *March* of this preſent Year 1713. Which Contract or *Aſſiento de Negros*, and all the Clauſes, Conditions,

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Privileges and Immunities contained therein, and which are not contrary to this Article, are and ſhall be deemed and taken to be part of this Treaty, in the ſame manner as if they had been here inſerted word for word.

XIII. Whereas the Queen of *Great-Britain* has continually preſſed and inſiſted with the greateſt Earneſtneſs, that all the Inhabitants of the Principality of *Catalonia*, of whatever State or Condition they may be, ſhould not only obtain a full and perpetual Oblivion of all that was done in the late War, and enjoy the entire Poſſeſſion of all their Eſtates and Honours, but ſhould alſo have their ancient Priviledges preſerved ſafe and untouched; the Catholick King in compliance with the ſaid Queen of *Great-Britain*, hereby grants and confirms to all the Inhabitants of *Catalonia* whatſoever, not only the Amneſty deſired, together with the full poſſeſſion of all their Eſtates and Honours, but alſo gives and grants to them all the Priviledges which the Inhabitants of both *Caſtilles*, who of all the *Spaniards* are the moſt dear to the Catholick King, have and enjoy, or may hereafter have and enjoy.

XIV. And whereas the Catholick King at the requeſt of Her Royal *Britannick* Majeſty, has been pleaſed to yield the Kingdom of *Sicily* to his Royal Highneſs *Victor Amadeus* Duke of *Savoy*, and by the Treaty this Day entred into between his Royal Catholick Majeſty, and His Royal Highneſs of *Savoy*, does make a Ceſſion of the ſaid Kingdom, Her Royal Majeſty of *Great-Britain* aforeſaid, promiſes and engages that She will take great Care, that in default of the Heirs Male of the Houſe *Savoy*, the Poſſeſſion of the aforeſaid Kingdom of *Sicily* ſhall revert again to the Crown of *Spain*; and Her above ſaid Royal *Britannick* Majeſty, doth further Conſent, that the Kingdom of *Sicily* may not under any pretence, or in any manner whatever, be alienated or given to any Prince or State, unleſs to the Catholick King of *Spain*, and to his Heirs and Succeſſors. And whereas the Catholick King hath made known to Her Royal *Britannick* Majeſty, that it would be both reaſonable in it ſelf, and acceptable to him, that not only the Subjects of the Kingdom of *Sicily*, although they may reſide in the Dominions of *Spain*, and be in the Service of his ſaid Catholick Majeſty, but alſo the *Spaniards* and other Subjects of *Spain*, who may perhaps have Eſtates and Honours in the aforeſaid Kingdom of *Sicily*, ſhould, without any diminution, intirely enjoy their ſaid Eſtates and Honours, and ſhould in no wiſe, under pretence of perſonal Abſence out of the ſaid Kingdom, be troubled or diſquieted. And whereas the aboveſaid Catholick King freely

freely promiſes likewiſe on his Part, that he will Conſent, that the Subjects of the ſaid Kingdom of *Sicily*, and other Subjects of his ſaid Royal Highneſs, if they ſhould chance to have Eſtates and Honours in *Spain*, or other the Dominions belonging to *Spain*, ſhall in like manner, without any diminution, intirely enjoy the ſame, and that they ſhall in no wiſe be troubled or diſturbed under pretence of perſonal Abſence; Therefore Her Royal *Britannick* Majeſty promiſes, that She will endeavour, and will give Inſtructions to Her Ambaſſadors Extraordinary, and Plenipotentiaries at *Utrecht*, that they interpoſe the moſt effectual good Offices, that the Catholick King and his Royal Highneſs may mutually Agree concerning this matter, and may take care and provide for the ſame, in ſuch manner as ſhall be moſt Commodious on both ſides.

XV. Their Royal Majeſties on both parts Renew and Confirm all Treaties of Peace, Friendſhip, Confederation, and Commerce, made heretofore, and concluded between the Crowns of *Great Britain* and *Spain*, and the ſaid Treaties are hereby Renewed and Confirmed in as full and ample manner, as if they were now particularly here inſerted; that is to ſay, as far as they are not found to be contrary to the Treaties of Peace and Commerce which were the laſt made and ſigned. And eſpecially by this Treaty thoſe Agreements, Treaties, and Conventions are Confirmed and Strengthened, which relate as well to the Exerciſe of Commerce and Navigation in *Europe*, and elſewhere, as to the Introduction of Negroes into the *Spaniſh Weſt-Indies*, and which either are already made, or will forthwith be made between both Nations at *Madrid*. And whereas it is inſiſted on the part of *Spain*, that certain Rights of Fiſhing at the Iſland of *Newfoundland* belong to the *Guipuſcoans*, or other Subjects of the Catholick King, Her *Britannick* Majeſty conſents and agrees, That all ſuch Priviledges as the *Guipuſcoans* and other People of *Spain* are able to make claim to by Right, ſhall be allowed and preſerved to them.

XVI. Whereas in the Convention for making a Suſpention of Arms from the $\frac{11}{23}$ day of the Month of *Auguſt* laſt paſt, for four Months, between the Queen of *Great Britain*, and the moſt Chriſtian King; which the Catholick King alſo approved by his conſent, and does hereby further approve; and which by another Convention was prolonged to the $\frac{11}{23}$ of the Month of *April* of this preſent Year, among other Conditions it is expreſly ſtipulated, in what Caſes the Ships, Merchandizes, and other Move-

ables taken on one ſide and the other, ſhould either becom[e] effe[ct] Prize to the Captor, or be reſtored to the former Owner; It [is] anſcr[ibed] therefore agreed, That in thoſe Caſes the Conditions of the a[r]- Majeſt[ies] foreſaid Suſpention of Arms ſhall remain in full force, and a[ll] antee things relating to ſuch Captures, made either in the *Britiſh* an[d] fulf[il] *Northern* Seas, or elſewhere, ſhall be well and truly execute[d] nd th[e] according to the Tenor thereof. XX

XVII. But if it happen thro' Inadvertency, or Imprudence, or Royal any other Cauſe, that any Subject of either of their aforeſaid Roy- oy, is al Majeſties, do or commit any thing by Land, Sea, or on freſh ſſenti[al] Waters, in any part of the World, whereby this preſent Treaty or w[hich] be not obſerved, or whereby any particular Article of the ſame ing th hath not its effect, this Peace and good Correſpondence between Guara the Queen of *Great-Britain* and the Catholick King, ſhall not XX therefore be interrupted or broken, but ſhall remain in its for- Realm mer Strength, Force, and Vigour. And that Subject only ſhall Princ be anſwerable for his own Fact, and ſhall ſuffer ſuch Puniſhment gethe as is inflicted by Law, and according to the Preſcriptions of the anta Law of Nations. in th

XVIII. But if (which God forbid) the Diſputes which are com- X poſed, ſhould at any time be renewed between Their ſaid Royal the M Majeſties, and break out into open War, the Ships, Merchandi- twee zes, and Goods, both Moveable and Immoveable, of the Subjects Hum on both ſides, which ſhall be found to be and remain in the Ports he and Dominions of the adverſe Party, ſhall not be Confiſcated, or ſha ſuffer any Damage; But the ſpace of Six Months, on the one part, in and on the other, ſhall be granted to the ſaid Subjects of each of wh their ſaid Royal Majeſties, in order to their ſelling the aforeſaid Off things, or any other their Effects, or carrying away and tranſporting the the ſame from thence, whitherſoever they pleaſe, without any Moleſtation. ſet

XIX. The Kings, Princes, and States, mentioned in the fol- co lowing Articles, and all others who ſhall be nominated on either F ſide, by common Conſent, before the Ratifications are exchanged, th or within Six Months after, ſhall for a Mark of Mutual Friend- c ſhip, be included and comprehended in this Treaty, their Royal t M[a]jeſties aforenamed being perſuaded that they will approve all n the Settlements made and eſtabliſhed by it. o

XX. Whatſoever ſhall be contained in the Treaty of Peace next entred into between his Sacred Royal Majeſty of *Spain*, and his Sacred Royal Majeſty of *Portugal*, with the previous Appro- bation of Her Royal Majeſty of *Great-Britain*, ſhall be deemed

an

eſſential Part of this Treaty, in the ſame manner as if it was tranſcribed here word for word. Moreover Her Sacred Royal Majeſty of *Great-Britain* offers Her ſelf to be a Surety or Guarantee of the aforeſaid Agreement of Peace, which ſhe promiſes to fulfil according to the Subſtance and Words thereof, to the end that it may be obſerved the more Sacred and Inviolable.

XXI. The Treaty of Peace this Day entred into between his Royal Catholick Majeſty and his Royal Highneſs the Duke of *Savoy*, is ſpecially included in and confirmed by this Treaty, as an eſſential Part thereof, as fully as if it was inſerted therein word for word, Her Royal Majeſty of *Great Britain* expreſly declaring that ſhe will be obliged by the Terms of the Promiſe and Guarantee therein made.

XXII. The moſt Serene King of *Sweden*, together with his Realms, Dominions, Provinces, and Rights, and the moſt Serene Princes the Great Duke of *Tuſcany*, and the Duke of *Parma*, together with their People and Subjects, and the Liberties and Advantages of their Subjects in matters of Trade, ſhall be included in this Treaty in the moſt effectual manner.

XXIII. The moſt Serene Republick of *Venice*, for the ſake of the Neutrality, which during the War they exactly obſerved between the Parties in Hoſtility, and for the ſake of many Acts of Humanity performed by it (the Dignity, Power and Security of the Eſtates and Dominions thereof, remaining ever inviolable) ſhall be particularly comprehended and included in this Treaty, in the beſt manner poſſible, as a common Friend, and one to whom their Royal Majeſties, at all times, deſire to repay the Offices of a faithful Friendſhip, according to the Exigencies of the ſaid Rebublick.

XXIV. It has been thought good to Comprehend in the preſent Treaty, the moſt Serene Republick of *Genoa*, which by a conſtant Neutrality, during the War, have Cultivated the ancient Friendſhip with the Crowns of *Great Britain* and *Spain*, that the Benefit of this Peace may be extended to every thing that concerns that Republick, and the Subjects thereof, may in all things, and every where, fully Enjoy the ſame Liberty of Commerce hereafter, as they Enjoyed formerly, and during the Life of *Charles* the Second Catholick King of *Spain*.

XXV. The City of *Geneva* is likewiſe included in this Agreement, to the end that it may for the future Enjoy all the Advantages in Trade which it has heretofore Enjoyed in either Kingdom, either by Treaties or ancient Cuſtom.

XXVI. Solemn Ratifications of this Treaty, and drawn up in the proper Form, ſhall be duly and reciprocally Exchanged on both ſides within Six Weeks, to be computed from the time of Signing, or ſooner if poſſible.

In Witneſs whereof the Ambaſſadors Extraordinary and Plenipotentiaries abovenamed, having on each ſide Exhibited, and duly Exchanged their Letters of full Powers, Signed and Sealed this preſent Treaty at *Utrecht*, the $1\frac{2}{3}$ Day of the Month of *July* in the Year of our Lord, 1713.

(*L.S.*) *Joh. Briſtol.* C. P. S. (*L.S.*) *Duc de Oſſuna.*
(*L.S.*) *Strafford.* (*L.S.*) *El Marque le Monteleone.*

WE having ſeen and conſidered the Treaty of Peace and Friendſhip above written, have Approved, Ratified, and Confirmed the ſame, in all and every one of its Articles, as We do by theſe Preſents Approve, Ratifie, and Confirm it, for Our Selves, Our Heirs, and Succeſſors, Promiſing and Engaging Our Royal Word, That we will faithfully and inviolably Perform and Obſerve the aforeſaid Treaty, and all and every one of the Things contained therein, and that We will never ſuffer the ſame to be Violated or Tranſgreſſed by any one, as far as it lies in Our Power. For the greater Teſtimony and Validity whereof, We have cauſed Our Great Seal of Great Britain *to be affixed to theſe Preſents, which We have Signed with Our Royal Hand. Given at our Court at* Kenſington *the* 31*ſt Day of* July, 1713. *in the Twelfth Year of Our Reign.*

ANNE, *by the Grace of God, Queen of* Great-Britain, France, *and* Ireland, *Defender of the Faith*, &c. *To all whom theſe Preſents ſhall come, Greeting. Whereas a certain Separate Article, Entituled, The Firſt Separate Article, belonging to the Treaty of Peace and Friendſhip between Us and Our Good Brother* Philip *the Fifth Catholick King of* Spain, *Concluded at* Utrecht, *the* $1\frac{2}{3}$ *Day of the laſt Month, was Sign'd on the ſame Day and in the ſame Place, by Our Ambaſſadors Extraordinary and Plenipotentiaries, furniſhed with ſufficient Authority for that purpoſe, in the Manner and Form following:*

The Firſt Separate Article.

BEſides thoſe things which have been ſtipulated between the Lord Baron of *Lexinton*, on the part of Her Royal Majeſty of *Great Britain*, and the Lord Marquis of *Bedmar*, on the part of his Royal Catholick Majeſty, by the Treaty

of

of the 27th of *March* laſt at *Madrid*, It is further agreed by this Separate Article, which ſhall be of the ſame force as if it was inſerted word for word in the Treaty this Day concluded between their Royal Majeſties, that ſince his Royal Catholick Majeſty is ſtedfaſtly reſolved, and does ſolemnly promiſe by theſe Preſents, that he will not conſent to any further Alienation of Countries, Provinces or Lands of any ſort, or where-ever ſituate, belonging to the Crown of *Spain*; Her Royal Majeſty of *Great Britain* does likewiſe reciprocally promiſe, that She will perſiſt in thoſe Meaſures and Councils, by which She has provided and taken care, that none of the Parties in War ſhall require or obtain of his Catholick Majeſty, that any farther Part of the *Spaniſh* Majeſty be torn from it; but that any new demand of that Kind being made, and the ſame refuſed by his Catholick Majeſty, Her Royal Majeſty of *Great Britain* will uſe her endeavours that ſuch Demands ſhall be receded from.

And when it ſhall ſeem to Her Royal Majeſty of *Great Britain*, to be for the common Benefit, that a new Treaty be entred into, between Her *Britannick* Majeſty, the Catholick King, and King of *Portugal*, that the Security of the Crown of *Portugal* may be provided for, his Catholick Majeſty does by theſe Preſents give his Conſent to ſo wholſom a work, and does hereby Teſtifie it.

This Article ſhall be Ratified, and the Ratifications thereof ſhall be exchanged at *Utrecht*, within Six Weeks, or ſooner, if it can be.

In Teſtimony whereof, we the Ambaſſadors Extraordinary, and Plenipotentiaries of their Royal *Britannick*, and Catholick Majeſties, by Virtue of the full Powers exchanged this Day, have ſigned and ſealed the preſent Article, at *Utrecht*, the $\frac{2}{13}$ of *July*, in the Year of Our Lord, One thouſand ſeven hundred and thirteen.

(L.S.) Joh. Briſtol. C.P.S. *(L.S.) Duc de Oſſuna.*
(L.S.) Strafford. (L.S.) Marquis de Monteleon.

WE having ſeen and conſider'd the ſaid firſt Separate Article, have Approv'd and Ratify'd, and by theſe Preſents do Approve and Ratify the ſame, promiſing on Our Royal Word, That We will ſincerely and truly do and perform all things which are contain'd in the ſaid Article. In Teſtimony whereof We have caus'd Our Great Seal of Great Britain *to be affix'd to this Inſtrument, which is Sign'd with Our Royal Sign Manual. Given at Our Court at* Kenſington *the Thirty firſt Day of* July, 1713. *and of Our Reign the Twelfth.*

Anne R.

ANNE

ANNE, *by the Grace of God, Queen of* Great Britain, France *and* Ireland, *Defender of the Faith*, &c. *To all to whom theſe Preſents ſhall come, Greeting. Whereas a certain Separate Article, Entituled, The Second Separate Article, belonging to the Treaty of Peace and Friendſhip between Us and Our Good Brother* Philip *the Fifth Catholick King of* Spain, *Concluded at* Utrecht *the* $1\frac{2}{3}$ *Day of the laſt Month, was Sign'd on the ſame Day, and in the ſame Place, by Our Ambaſſadors Extraordinary and Plenipotentiaries, furniſh'd with ſufficient Authority for that purpoſe, in the Manner and Form following:*

The Second Separate Article.

THat it may appear what Conſideration her Sacred Majeſty the Queen of *Great Britain* has for the Princeſs of *Urſini*, her ſaid Majeſty the Queen of *Great Britain* in the 21ſt Article of the Conventions of Peace, made between the Baron of *Lexington*, on the part of her ſaid *Britannick* Majeſty, and the Marquiſs *de Bedmar*, on the part of his Catholick Majeſty, at *Madrid*, the 27th day of *March* laſt, did oblige herſelf, as by the preſent Article ſhe does oblige herſelf, and promiſes and agrees for herſelf and her Succeſſors, that ſhe will really procure and effect, that forthwith and without any delay, the ſaid Lady Princeſs of *Urſini* be put into real and actual Poſſeſſion of the Dutchy of *Limburg*, or of other Countries in the *Netherlands*, which ſhall be Subſtituted in lieu thereof to the full Satisfaction of the Lady Princeſs of *Urſini*, with all manner of abſolute and Independent Superiority, clear from any Fee, or other Tye whatſoever, which ſhall produce an annual Revenue of 30,000 *Scudo*'s, according to the Form and Tenour of the Diploma granted by his ſaid Catholick Majeſty to the ſaid Princeſs, the 28th day of *September*, 1711. to the Effect following.

PHilip, by the Grace of God, King of *Caſtille*, *Leon*, *Arragon*, both *Siciles*, *Jeruſalem*, *Navarre*, *Granada*, *Toledo*, *Valentia*, *Galicia*, *Majorca*, *Seville*, *Sardina*, *Cordoua*, *Corſica*, *Murcia*, *Jaen*, *Algarves*, *Algezira*, *Gibralter*, *Canary* Iſlands, *Eaſt* and *Weſt-Indies* Iſlands, and *Terra firma* of the Ocean Sea, Arch Duke of *Auſtria*, Duke of *Burgundy*, *Brabant*, and *Milan*, Count of *Apsburg*, *Flanders*, and *Tirol*, and of *Barcelona*, Lord of *Biſcay* and of *Molina*, &c. To all who ſhall ſee theſe Preſents, or hear them read, Greeting. Our Deareſt and moſt well-beloved Couſin the Princeſs of *Urſini*, has ſince the beginning of our Reign rendred us, and continues to render us ſo many ſignal and acceptable Services,

vices, that we thought we could not defer any longer, giving her lively Teſtimonies of our Acknowledgements, and of the Eſteem we have for her Perſon. This Princeſs having quitted the Rank, and the Prerogatives ſhe had at the Court of *Rome*, to accept the Employment of Firſt Lady of the Bed-Chamber to the Queen our Deareſt Conſort, ſhe went to meet her at *Nice* in *Provence*, and conducted her into our Dominions of *Spain*, and diſcharged her duty with ſo much Care, Exactneſs, and Wiſdom, that ſhe has gained all poſible Confidence and Conſideration.

When We truſted the Regency of Our Kingdoms of *Spain* to the Queen Our deareſt Conſort, that we might go and Command Our Armies, in the Kingdoms and States of *Italy*, the Princeſs of *Urſini* redoubled her Zeal and Aſiduity about her Perſon, ſhe has always aſſiſted her with her Care and her Counſel, with equal Prudence and Affection, and in all times, and on all occaſions We have experienced the happy Effects of ſo Judicious, ſo Faithful, and ſo Valuable Conduct.

Since it has pleaſed God to bleſs Our Royal Houſe, and to ſecure the Succeſſion of it by a happy Iſſue, ſhe has likewiſe taken upon her to beſtow her moſt tender and effectual Care on the Education of Our Deareſt and moſt Beloved Son the Prince of the *Aſturias*, in whom We already obſerve the Benefit and Progreſs of it. All theſe Services, ſo diſtinguiſhing, and ſo important to the Welfare of Our Dominions, and to the Felicity of Our Reign, the Application with which this Princeſs gives Us ſtill freſh proofs of an intire Affection to the Perſon of Us, the Queen Our Deareſt Conſort, and the Princes our Children, and the good Succeſs that has attended the wholſome Counſels ſhe has given Us, have engaged Us to find out means to grant her a Reward ſuitable to ſo many Services, and that might ſerve for the future as a certain Proof of the greatneſs of Our Gratitude, as well as of the Merit and Virtues of this Princeſs. This has given Us occaſion to think of Securing to her not only a conſiderable Revenue, but alſo a Country ſhe might enjoy with the Title of Sovereign, which We have embraced with the greater readineſs, that this Princeſs being born of the Houſe of *la Trimoüille*, one of the moſt Antient and moſt Illuſtrious of *France*, is not only allied to the Princes of the blood of the Houſe of *France*, but likewiſe to ſeveral other Sovereign Houſes of *Europe*, and that knowing the Endowments of her Mind, and the Wiſdom of her Conduct in all things, We are perſwaded ſhe will Govern with Juſtice the Country and People that ſhall be under her Subjection;

jection; and that this great Favour will ever be looked upon as the juſt Effect of the Juſtice and Magnificence of the Sovereigns towards thoſe who have been ſo happy as to render them important Services. Know ye therefore, that out of Our full Power, meer Motion and Royal and Abſolute Authority, We have given, yielded and transferred, as We do give, yield and transfer by theſe Preſents, to our Deareſt and moſt Wel-beloved Couſin, *Mary Anne de la Trimouille* Princeſs of *Urſini*, for herſelf, her Heirs, Succeſſors, and Aſſigns, the Dutchy, Town, and Caſtle of *Limbourg*, being part of the *Spaniſh Netherlands*, with the Towns, Boroughs, Villages, Caſtles, Houſes, Lands, and other Appurtenances of the ſaid Dutchy, to enjoy the ſame to herſelf the ſaid Princeſs *Urſini*, her Heirs, Succeſſors or Aſſigns, in full property and perfect Sovereignty, without reſerving or detaining any part thereof, to Our ſelves and to Our Succeſſors the Kings of *Spain*, under any Title whatſoever, either of Reſort or Feodality, as alſo without return or Reverſion in any Caſe, or at any time, whereof We have exempted the ſaid Dutchy of *Limbourg*, and its Dependencies comprehended in the preſent Donation: To which end, ſo far as is, or ſhould be neceſſary, We have Extinguiſhed and Suppreſſed, as We do Extinguiſh and Suppreſs the ſaid Rights; Willing that the ſaid Princeſs of *Urſini* do exerciſe in her Name, all the Rights of Sovereignty within the ſaid Dutchy of *Limbourg*, the Territories and Juriſdictions thereto Annexed, with the ſame Authority as We exerciſed, and had Right to Exerciſe the ſame before theſe Preſents, and that ſhe enjoy there all the Revenues, Fruits, Profits and Emoluments whatſoever, as well Ordinary as Extraordinaty and Caſual, of what nature ſoever, either for the Collation and Patronage of the Livings, the Proviſion and Deſtitution of Offices, the Cuſtoms, Entries, Subſidies, Impoſitions, and other Rights, Expreſſed, and not Expreſſed, the Defence of the Country, and the Tranquillity of the Peop'e, the riſing the Revenues of the ſaid Dutchy and and its Dependencies; all which Rights and Revenues the ſaid Princeſs of *Urſini* ſhall commence to enjoy from the day of theſe Preſents, from the Reckoning of which, the Agents, Receivers, Clerks, or others appointed to receive the ſaid Revenues, ſhall be accountable, and remit the Produce into the Hands of the Bearers of the Powers of the ſaid Princes, and in ſo doing they ſhall be duly acquitted and diſcharged thereof towards Us, as by theſe Preſents We diſcharge them thereof; and conſequently the ſaid Princeſs of *Uſini* ſhall remain unalterable Proprietor of the ſaid Dutchy of *Limbourg*, and its Dependencies, as well for the Sovereignty

vereignty, as for all the Revenues, as the whole belonging to her, in full, free and intire Property, with Power to diſpoſe thereof, by Donation between Perſons alive, or Legacy to ſuch Perſon, and with ſuch Clauſes and Conditions, as ſhe ſhall think fit, and even to Treat thereof by Exchange or otherwiſe, and the ſame Rights and Powers ſhall belong ſucceſſively, after her to her neareſt Heir, in caſe ſhe has not otherwiſe diſpoſed thereof. To which end We have diſcharged, abſolved, and freed, as by theſe Preſents We diſcharge, abſolve, and free the Inhabitants of the ſaid Dutchy of *Limbourg*, and its Dependencies, of what State, Quality or Dignity they are, as well Eccleſiaſtical as Secular, Political, Military, and of what other Ranks and Conditions they are, or may be, and each of them in General and in particular, of the Oaths of Fidelity, Faith, and Obedience, Promiſes, Obligations, and Duties they owed Us, as their Lord and Sovereign Prince: Ordering and enjoyning them moſt expreſly that, by virtue of theſe Preſents, they do own and acknowledge the ſaid Princeſs of *Urſini*, and after her, her Heirs, Succeſſors, or ſuch as have a Right thereto, ſucceſſively for their Princes and Sovereign Lords; that they take and Swear to her the Oaths of Fidelity and Obedience in the uſual manner, and moreover that they pay all Hommage, Reverence, Affection, Obedience, Fidelity, and Services, as good and Loyal Subjects are obliged to do to their Sovereign Lord, and as they have done hitherto to the Kings our Predeceſſors, and to us. And farther our Intenſion being, That the ſaid Dutchy of *Limbourg* and its Dependencies, ſhould produce at leaſt the effectual and real Revenue yearly to the Profit of the ſaid Princeſs of *Urſini*, her Heirs, Succeſſors, and Aſſigns, Thirty thouſand Crowns, each Crown of Eight Silver Reals, Old Double Money of *Caſtile*, Deduction being made of Local Employments, Maintenance of Places, and Officers that uſed to be Paid and Maintained out of the Revenues of the ſaid Dutchy. Our Will and Pleaſure is, That during the Firſt Year of Enjoyment by the ſaid Princeſs of *Urſini*, after her having taken Poſſeſſion of the ſaid Dutchy of *Limbourg*, and after the Publication of the Peace, a State be made of the Revenues and Employments of the Dutchy of *Limbourg*, and its Dependencies, in the Preſence of Perſons appointed for that purpoſe, as well on Our part, as on that of the ſaid Princeſs of *Urſini*, and in caſe, after Deduction is made for the ſaid Employments, the Revenues for the Neat Remainder to the Profit of the ſaid Princeſs of *Urſini* do not amount to the ſaid Thirty thouſand Crowns *per Annum*, whether by reaſon of

the Aliena ions that might have been made of ſome part of that Dutchy, or whether becauſe any of the ſaid Rights, Revenues, and Appurtenances ſhould have been Sold, Engaged, or Charged with ſome Rents, even ſome Debts for Sums taken by Loan, or Anticipation, in this caſe, We Ordain, and Our Will and Pleaſure is, That the whole be Redeemed and Diſengaged, and the Purchaſers, Mortgagers, Tenants, and other Creditors, reimburſed, paid, and ſatisfied out of the Produce of the moſt Liquid Revenues of the other Provinces of the *Spaniſh Netherlands*, ſo as that the ſaid Princeſs Enjoy, fully, really, and without any Charge, the ſaid Thirty thouſand Crowns yearly; to which end, and until the full Reimburſement for the Redeeming the ſaid Alienations or Engagements, Conſtitutions of Rents, Anticipations, or other Loans whatever they may be, the Purchaſers of the Fonds alienated, or Mortgagers, Tenants, and all other Creditors, ſhall be, and remain Aſſigned, as from this time We Aſſign them to receive their Arrears, or Intereſts of their Capitals out of the ſaid Revenues of the other Provinces of the *Spaniſh Netherlands*; and conſequently We have from this time yielded and transferr'd, as We do yield and transfer all and ſuch of our Revenues as ſhall be requiſite to the Mortgagers and Creditors, and until the Concurrence of what is due to them for Principal Intereſts, to take, have, and receive out of the moſt liquid and effective Part of the ſaid Revenues of the ſaid *Spaniſh Netherlands*, except thoſe of the ſaid Dutchy of *Limbourg*, to enjoy the ſame themſelves, until they ſhall be fully reimburſed. And if it ſhould happen, that notwithſtanding the ſaid Redemption and Reimburſement being made or aſſigned, the Revenue of the ſaid Dutchy of *Limbourg* ſhould not amount to the ſaid Sum of Thirty thouſand Crowns yearly, all Charges deducted, We will, that there be Diſmembred, as from this time We Diſmember, from the other Countries belonging to Us, adjacent, or lying convenient to the ſaid Dutchy of *Limbourg*, ſuch other Towns, Boroughs, Villages and Territories as ſhall be requiſite to make up by their yearly Produce, and Revenue, what ſhall be wanting of the ſaid Thirty thouſand Crowns yearly in the Dutchy of *Limbourg*, which Towns, Boroughs, Villages and Territoris, together with the Revenue and Appurtenances, ſhall remain diſmembred from Our other Lordſhips, and ſhall be united and joined for the future, and for ever, to the ſaid Dutchy of *Limbourg*, to be Poſſeſſed by the ſaid Princeſs of *Urſini*, with the ſame Title of Sovereignty, Juriſdiction, and Prerogative before mentioned, and as making part of the

the ſaid Dutchy of *Limbourg*. And whereas, by the ſeveral Propoſals that are from time to time made to Us, to attain the Peace ſo much deſired by Us, and other Princes and States of *Europe* engaged in the preſent War, ſome of them tend to certain Diſmembrings of the ſaid *Spaniſh Netherlands* from the other Dominions that make up Our Monarchy, We Declare, that Our Intention is, That theſe Preſents ſhall not be prejudiced by the Treaties of Peace that ſhall be made, and that all the Princes and Potentates intereſted in the ſaid Propoſals, do Ratify the Diſmembring We make by theſe Preſents of the ſaid Dutchy of *Limbourg*, and the Erecting of that in Sovereignty, in favour of the Princeſs of *Urſini*, ſo as that ſhe be put, and remain in full Poſſeſſion, and Peaceable Enjoyment thereof, within the full Extent of theſe Preſents, according to their Form and Tenor, and without any Reſerve or Reſtriction whatſoever; It being Our Will, That the preſent Donation be one of the Conditions of the Treaties that may be made in what ſhall concern the ſaid *Spaniſh Netherlands*, to the end the ſaid Princeſs of *Urſini*, her Heirs, Succeſſors, and Aſſigns, may Enjoy the ſaid Dutchy of *Limbourg*, and its Appurtenances, fully, peaceably, perpetually, and for ever, with the Title of Sovereignty, without any Trouble and Hinderance; On the contrary, to effect the ſame, and to conſtrain thereto all thoſe whom it ſhall concern, or that are therefore to be conſtrain'd, We have, out of Our full Power and Royal Authority, ſupplied, as We do hereby ſupply all Defects or Omiſſions of Right or Fact, that might be found or happen in this Donation, Ceſſion, and Conveynance, either by the fault of Expreſſion of the Value of the Revenues, and of the Employments of the ſaid Dutchy of *Limbourg*, that are not therein ſpecified or declared, and that might be requiſite by former Ordinances, to which, and the Derogatories of the Derogatories therein contained, We have expreſly derogated, as we derogate by theſe Preſents; for ſuch is Our Will and good Pleaſure: Willing that theſe preſent Letters Patents be delivered to the ſaid Princeſs of *Urſini*, that ſhe may cauſe the ſame to be Regiſtred and Publiſh'd where it ſhall be neceſſary, and even to cauſe them to be inſerted, with the Donation and Ceſſion therein contained, in the Treaty of Peace to be Negotiated, therein to be included and acknowledged in the Quality of Sovereign Princeſs of the Dutchy of *Limbourgh*, and in that Quality to Exerciſe the Rights thereof, and there to make Treaties and Alliances with the Princes and Sovereigns that ſhall Intervene, Enjoyning the Miniſters and Ambaſſadors who ſhall be

there on Our part, to acknowledge her as ſuch, and all Our Officers of the ſaid Dutchy of *Limbourgh* to Obey theſe Preſents from the moment they ſhall be Notified to them; And to the end this preſent Donation be firm and laſting for ever, We have Signed theſe Preſent Letters with our own Hand, and cauſed our Great Seal to be affixed to them, Willing and Ordaining that they be Regiſtred in all and every one of Our Councils, and Chambers of Accompts where it ſhall belong. Given at our City of *Corella*, in our Kingdom of *Navarre*, the 28th day of *September*, in the Year of our Lord, 1711. and of our Reign the Eleventh.

And Her ſaid Majeſty of *Great Britain* promiſes, that ſhe will maintain the ſaid Lady Princeſs of *Urſini*, or her Aſſigns, in the real, actual, and peaceable poſſeſſion of the ſaid Sovereignty and Territory, againſt all and every one, at any time, and for ever, and that ſhe will not permit, that the ſaid Lady Princeſs be diſturbed or moleſted in the ſaid Poſſeſſion by any Body, by Right or Fact. And whereas the real Poſſeſſion of the Sovereignty of the ſaid Dutchy of *Limbourg*, or of the Territories as aforeſaid to be Subrogated, ought, by virtue of the before mentioned Convention, concluded the 27th of *March* laſt paſt, to have been already given to the ſaid Lady Princeſs, although it is not yet given: Therefore Her ſaid Royal Majeſty of *Great Britain*, as a farther Surety, promiſes, and engages her Royal Word, that ſhe will not yield or remit, nor ſuffer to be yielded or remitted to any Body, the ſaid *Spaniſh Netherlands*, but will keep, or cauſe the ſame to be kept, not only until the ſaid Lady Princeſs of *Urſini* be put in actual and peaceable poſſeſſion of the ſaid Sovereignty, but alſo, that the ſaid Lady Princeſs of *Urſini* be, as aforeſaid, acknowledged Sovereign Lady of the ſaid Sovereignty, and put in Poſſeſſion thereof by the Prince to whom the ſaid *Spaniſh Netherlands* are to be yielded and remitted.

This preſent Article ſhall be Ratified, and the Exchange of the Ratifications ſhall be made at *Utrecht* within Six Weeks, or ſooner, if poſſible.

In Witneſs whereof, We the Ambaſſadors Extraordinary, and Plenipotentiaries of Her Sacred Royal Majeſty of *Great Britain*, have Subſcribed this preſent Article, and Sealed the ſame with our Seals, at *Utrecht* the $\frac{13}{23}$ of *July*, in the Year of our Lord, 1713. *(L.S) Joh. Briſtol.* C. P. S. *(L.S.) Duque de Oſuna.* *(L.S.) Strafford.* *(L.S.) El Marque le Monteleon.*

WE having ſeen and conſider'd the ſaid Second Separate Article, have Approv'd and Ratify'd, and by theſe Preſents do Approve

prove and Ratify the ſame, promiſing on our Royal Word, That We will ſincerely and truly do and perform all things which are contain'd in the ſaid Second Article. In Teſtimony whereof We have caus'd Our Great Seal of Great Britain *to be affix'd to this Inſtrument, which is Sign'd with Our Royal Hand. Given at Our Court at* Kenſington *the Thirty firſt Day of* July, 1713. *and of Our Reign the Twelfth.*

Anne R.

ANNE R.

ANNE, by the Grace of God, Queen of *Great Britain*, *France*, and *Ireland*, Defender of the Faith, *&c.* To all to whom theſe Preſents ſhall come, Greeting. When We had determined to endeavour to put an End to this ſo long and ſo pernicious a War, amidſt the great Cares which We took upon Us in reſtoring the Publick Tranquility, We turned Our Thoughts in the firſt place to the Renewal and Strengthening of thoſe moſt Strict Bands of Friendſhip and Correſpondence between Us and Our Good Brother *Philip* the Fifth Catholick King of *Spain*, which had ſubſiſted from the longeſt Date of Time between the *Britiſh* and *Spaniſh* Crowns, to the Mutual Benefit of both Nations: Wherefore we were pleaſed to appoint the ſame Miniſters, who had ſo long, and with ſo good Succeſs, applied themſelves in Our Name to promote and finiſh the moſt wholſom Work of Peace between the Chriſtian Princes and States at *Utrecht*, to Conclude and Sign Terms and Conditions, as well of Peace and Friendſhip, as of Commerce and Navigation, between Us and the ſaid Catholick King. Know ye therefore, That We repoſing very great Confidence in the Fidelity, Induſtry, and Perſpicacity, and Experience, in Treating of Affairs of the greateſt Importance, of the Right Reverend Father in God Our Right Truſty and Wel-beloved Counſellor *John* Lord Biſhop of *Briſtol*, Keeper of Our Privy-Seal, Dean of *Windſor*, and Regiſter of Our moſt Noble Order of the Garter; And of Our Right Truſty and Right Wel-beloved Couſin and Counſellor *Thomas* Earl of *Strafford*, Viſcount *Wentworth* of *Wentworth-Woodhouſe*, and *Staineborough*, Baron of *Raby*, Lieutenant-General of Our Armies, Firſt Commiſſioner of Our Admiralty, Knight of Our moſt Noble Order of the Garter, and Our Ambaſſador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the *United Provinces*, Have nominated, made, and conſtituted, as We do by theſe Preſents nominate, make, and conſtitute them Our

true,

true, certain, and undoubted Ambaſſador Extraordinary, Commiſſaries, Procurators, and Plenipotentiaries, Giving, and Granting to them either joyntly or ſeparately, all and all manner of Power, Leave, and Authority, and Our General as well as Special Command (proved that Our General Command ſhall not derogate from, or be contrary to Our Special Command) to Meet at *Utrecht*, or at any other Place whatſoever, and have Conferences with the Ambaſſadors Extraordinary and Plenipotentiaries, whom the ſaid Catholick King ſhall depute on his ſide, and provide with ſufficient Authorities, and of Treating of Agreeing upon, and Concluding Safe, Firm, and Honourable Conditions of Peace and Friendſhip between Us and the ſaid Catholick King, and of Signing whatſoever ſhall be ſo Agreed for Us, and in Our Name, and of Making, Delivering, and Receiving reciprocally, all the neceſſary Inſtruments of the Things concluded, how many or whatſoever they are, and in general, of doing and performing all things which they ſhall judge to be any ways neceſſary or convenient towards Making and Eſtabliſhing Conditions of Peace and Friendſhip, as aforeſaid, in as ample Manner and Form, and with the ſame Force and Effect, as We could do and perform the ſame, if We Our Selves were preſent; Promiſing and Engaging Our Royal Word, That we will Approve and Ratify all and every one of the Articles, which by Virtue of theſe Preſents ſhall be Tranſacted, Concluded, and Signed by Our ſaid Ambaſſadors Extraordinary, Commiſſaries, Procurators, and Plenipotentiaries, joyntly or ſeparately, in the Form and Manner wherein they are agreed. For the greater Teſtimony and Validity whereof, having Signed theſe Preſents with Our Royal Hand, We have Commanded Our Great Seal to be affixed thereunto. Given at Our Palace at St. *James*'s the Third Day of *May*, 1713. in the Twelfth Year of Our Reign.

DON *Philip* by the Grace of God, King of *Caſtille*, *Leon*, *Aragon*, and both *Sicilies*, *Jeruſalem*, *Navarre*, *Granada*, *Toledo*, *Valencia*, *Galicia*, *Majorca*, *Seville*, *Sardinia*, *Cordoua*, *Corſica*, *Murcia*, *Jaen*, the *Algarves*, *Algezira*, *Gibraltar*, the *Canaries*, the *Eaſt* and *Weſt-Indies*, the *Iſlands* and *Continent* of the Ocean, Archduke of *Auſtria*, Duke of *Burgundy*, *Brabant*, and *Milan*, Count of *Apsburg*, *Flanders*, *Tirol*, and *Barcelona*, Lord of *Biſcay* and *Molina* &c. Whereas *Europe* has, through the unſearchable Judgments of God, ſuffered a more bloody and obſtinate War than ever yet was ſeen, to the Ruin of the People and Provinces, the

the Rage of which no Humane Means have been able to Extinguiſh, till this preſent time, when, by the Grace of the Divine Goodneſs, manifeſt Signs have been given of a certain Diſpoſition to reſtore Peace and Quiet ſo much deſired by the whole Chriſtian World, but more eſpecially by us, for the ſake of what our Dominions have reſpectively ſuffered. And whereas Plenipotentiaries have been named by ſome of the Principal Powers engaged in the War, with ſufficient Authority to Treat of Peace, which is to be entred into with mutual Friendſhip, we therefore being willing on our Part to concur in ſo laudable and glorious a Deſire, have determined to nominate, as we do, by Virtue of theſe Preſents, nominate you Don *Franciſco Maria de Paula, Tellez Giron, Venavides, Carillo* and *Toledo, Ponce* of *Leon*, Duke of *Oſſuna*, our Couſin, Count of *Uzena*, Marquis of *Pennafiel*, One of the firſt Nobles of my Bedchamber, and Great Chamberlain, Notary Major of my Kingdoms of *Caſtile*, Clavero Mayor and Commander of the ſame Order, and of the Uſagre of the Order of St. *James*, Captain of my Royal Life-Guards: Don *John de Browkoven*, Count of *Bergueych* our Councellor and Miniſter of War, and Superintendant General of our Finances in *Flanders*: And Don *Iſidore Cazade de Roſales*, Marquiſs of *Monteleon*, our Kinſman, and Senator in our Royal Council of the *Indies*, our Ambaſſadors and Plenipotentiaries, becauſe we know that your Perſons are adorned with Prudence, Experience, Zeal and Love for our Intereſt, and the high Qualities which are chiefly neceſſary to the Direction and Diſpoſal of an Affair of ſo great and important a conſequence, We therefore Charge and Command you, that you immediately repair to the Congreſs at *Utrecht*, which is the Place appointed for Treating of Peace; that you may there, together with the Plenipotentiaries appointed by the Kings and Potentates concerned, and provided with ſufficient Authority and Inſtructions, enter into, and be impowered to enter into Conferences or Agreements of a Particular or General Peace; and We do grant full and entire Power and Authority to you the Duke of *Oſſuna*, the Count of *Bergueych*, and Marquis *de Monteleon*, to you all Three together, or to Two of you, in caſe of the Abſence or Infirmity of the other, or to One alone, in caſe of the Abſence or Infirmity of the other Two, to Enter into, Conclude, and Sign in Our Name, a Treaty of Peace between Us and the other Kings and Potentates in War, joyntly with them All, or ſeparately with any One of them, and to Agree upon, Conclude, Subſcribe, and Deliver

liver all Inſtruments neceſſary on this Occaſion, and in general to Do, Promiſe, and Stipulate ſuch Acts and Declarations as ſhall be neceſſary to the Exchange of what ſhall be agreed upon, and all other things whatſoever, which any way conduce or relate to the Concluſion or Negociation of Peace, although they are not expreſſed here, and with the ſame Power, Authority and Fulneſs, as We Our ſelves could do, if we were preſent, and even in thoſe Affairs and Acts, which may require a more ſpecial and expreſs Command than is contained in theſe Full Powers, and whatſoever you Three, or Two of you, in caſe of the Abſence or Sickneſs of One of you, or One alone in the like caſe of the Abſence or Sickneſs of the other Two, as is aboveſaid, ſhall Do, Treat, Promiſe, Conclude and Corroborate with your Subſcription, we Engaging our Faith and Royal Word, do Promiſe to Confirm and Ratifie, without any Diminution, with the Oaths and other Solemnities requiſite and neceſſary in ſuch a Caſe, within the Time which ſhall be Signed reciprocally by the Plenipotentiares at the ſaid Congreſs. In Witneſs whereof, and for the greater Force and Validity of the ſame, we have ordered to be diſpatched, and have diſpatched theſe Preſents, Signed with Our Hand, Sealed with Our Privy Seal, and Counterſigned by Our underwritten Secretary of State, Given at *Madrid* the 28th Day of *December*, 1711.

I the King

Don Manuel of Vadillo and Velaſco

FINIS.